



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० २१] नई दिल्ली, शनिवार, मई २७, १९६७/ ज्यैष्ठ ६, १८८९  
 No. 21] NEW DELHI, SATURDAY, MAY 27, 1967/JYAISTHA 6, 1889

स भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र १५ मई १९६७ तक प्रकाशित किये गये :—

The undermentioned Gazettes of India Extraordinary were published up to the 15th May, 1967

Issue No.	No. and Date	Issued by	Subject
287	S.O. 1716, dated 9th May, 1967.	Ministry of Law.	Dr. Zakir Husain declared as duly elected to the office of the President of India.
288	S. O. 1717, dated 10th May, 1967.	Ministry of Home Affairs	Nomination to the Legislative Assembly of Goa, Damim and Diu.
289	S.O. 1718, dated 10th May, 1967.	Ministry of Commerce.	Amendment in the notification No. 3675 dated the 30th December 1963.
289-A.	S. O. 1718-A, dated 10th May, 1967.	Ministry of Information & Broadcasting.	Approval of films specified in the Schedule.
289-B.	S.O. 1718-B, dated 10th May, 1967.	Ministry of Commerce.	Appointment of persons as mentioned in Col. 2 of the Table for the purpose of hearing appeals
289-C.	S.O. 1718-C, dated 10th May, 1967.	Do.	The Export of Organic Chemicals (Inspection) Amendment Rules, 1967.
289-D	S.O. 1718-D, dated 11th May, 1967.	Do.	Amendment to S.O. 2342, dated 23rd September, 1966.

Issue No.	No. and Date	Issued by	Subject
290	S. O. 1719, dated 12th May, 1967.	Ministry of Home Affairs.	Oath-taking ceremony regarding the President elect, Dr. Zakir Hussain and the Vice-President-elect Shri V. V. Giri.
290-A.S.O. 1719-A,	dated 12th May, 1967.	Ministry of Commerce.	The Export of Gum Karaya (Inspection) Amendment Rules, 1967.
291	S. O. 1720, dated 13th May, 1967.	Ministry of Home Affairs.	Proclamation on the appointment of Dr. Zakir Hussain as the President of India notifying it to all Central Ministries, State Governments, Union Territories and Centrally administered areas.
292	S.O. 1721, dated 13th May, 1967.	Do.	Shri V. V. Giri's appointment as the Vice-President of India notified.
293	S.O. 1722, dated 15th May, 1967.	Ministry of Commerce.	Further Notification to Order S. O. No. 1345, dated 20th April 1965 regarding the extension of time.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम वांगमय भेजने पर भेज दी जाएंगी। वांगमय प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

### भाग II—खण्ड 3—उपखण्ड (ii)

#### PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories)

### ELECTION COMMISSION, INDIA

#### CORRIGENDUM

New Delhi, the 19th May 1967

S.O. 1786.—In the election Commission notification No. 100/CS-AS/2/67, dated the 26th April, 1967, published in an extraordinary issue of the Government of India Gazette Part II Section 3, Sub-section (ii), dated the 26th April, 1967, under S.O. No. 1546 for the words "Sd./- M. C. Chaudhuri, Returning Officer for

the bye-election——" the words 'Sd./- R. C. Chaudhuri, Returning Officer for the Bye-election——' shall be substituted.

[No. 100/CS-AS/2/67.]

By order,

PRAKASH NARAIN, Secy

## MINISTRY OF HOME AFFAIRS

*New Delhi, the 18th May 1967*

**S.O. 1787.**—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the Chief Commissioner of the Union territory of Chandigarh shall, subject to the control of the President and until further orders, exercise within the said Union territory, the powers of the State Government under the Explanation inserted in section 7 of the Punjab Professions, Trades, Callings and Employments Taxation Act, 1956 (Punjab Act 7 of 1956) by the Punjab Professions, Trades, Callings and Employments Taxation (Haryana Amendment) Act, 1966 (Haryana Act 1 of 1967), as applied to that Union territory.

[No. F. 15/2/67-UTL.]

P. N. VASUDEVAN, Dy. Secy.

*New Delhi, the 19th May 1967*

**S.O. 1788.**—In exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President, with the consent of the Government of Haryana, hereby entrusts to that Government, the functions of the Central Government in relation to any matter specified in sub-clauses (c) and (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (19 of 1923), subject to the condition that notwithstanding such entrustment the said functions may also be exercised by the Central Government

[No. F. 21/13/67-Pol. II.]

S. S. VARMA, Dy. Secy.

## MINISTRY OF FINANCE

(Department of Economic Affairs)

*New Delhi, the 16th May 1967*

**S.O. 1789.**—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Jalpaiguri Banking and Trading Corporation Ltd., Jalpaiguri, in respect of the immovable property held by it under Khatian No. 2243 at Taluk Kharia, Jalpaiguri, West Bengal, till the 30th April, 1968.

[No. F. 15(8)-BC/67.]

New Delhi, the 18th May 1967

S.O. 1790.—Statement of the Affairs of the Reserve Bank of India as on the 12th May 1967.

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	17,05,67,000
		Rupee Coin	3,88,000
Reserve Fund	80,00,00,000	Small Coins	4,10,000
National Agricultural Credit (Long Term Operations) Fund	115,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal	
		(b) External	
		(c) Government Treasury Bills	208,24,42,000
National Agricultural Credit (Stabilisation) Fund	16,00,00,000	Balances Held Abroad*	41,04,96,000
National Industrial Credit (Long Term Operations) Fund	20,00,00,000	Investments**	237,39,67,000
		Loans and Advances to :—	
		(i) Central Government	
		(ii) State Governments @	67,47,56,000

Deposits :—		Loans and advances to :—	
Government†		(i) Scheduled Commercial Banks†	62,90,25,000
		(ii) State Co-operative Banks‡	1,38,22,69,000
		(iii) Others	2,38 90,000
(a) Central Government	52,32,67,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund:—	
(i) State Governments	18,06,62,000	(a) Loans and Advances to :—	
		(i) State Governments	28,29,39,000
		(ii) State Co-operative Banks	11,13,87,000
		(iii) Central Land Mortgage Banks	..
(b) Banks		(b) Investment in Central Land Mortgage Bank Debentures	7,09,26,000
(i) Scheduled Commercial Banks	122,43,16,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund:—	
(ii) Scheduled State Co-operative Banks	5,96,02,000	Loans and Advances to State Co-operative Banks	
(iii) Non-Scheduled State Co-operative Banks	69,68,000		2,96,85,000
(iv) Other Banks	3,48,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund:—	
(c) Others	269,77,58,000	(a) Loans and Advances to the Development Bank	5,24,15,000
Bills Payable	32,07,00,000	(b) Investment in bonds/debentures issued by the Development Bank	..
Other Liabilities	132,60,74,000	Other Assets	40,41,33,000
	<b>Rupees</b>		<b>Rupees</b>
	869,96,95,000		869,96,95,000

\* Includes Cash and Short-term Securities.

\*\* Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund

† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

‡ Includes Rs. 27,61.95 000 advanced to scheduled commercial banks against usance bills under section 17(4)(c) of the Reserve Bank of India Act.

§ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund

Dated the 17th day of May, 1967.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 12th day of May 1967.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department.	17,05,67,000		Gold Coin and Bullion :—		
Notes in circulation	3125,55,44,000		(a) Held in India	115,89,25,000	
Total Notes issued		3146,61,11,000	(b) Held outside India		
			Foreign Securities	186,42,01,000	
			TOTAL		302,31,26,000
			Rupee Coin		69,38,26,000
			Government of India Rupee Securities		2774,91,59,000
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES		3146,61,11,000	TOTAL ASSETS		3146,61,11,000

Dated the 17th day of May, 1967.

B. N. ADARKAR,  
Dy. Governor.

[No. F.3(3)-BC/67.]

V. SWAMINATHAN, Under Secy.

(Department of Economic Affairs)  
(Office of the Controller of Capital Issues)  
New Delhi, the 19th May 1967

**S.O. 1791.**—In exercise of the powers conferred by Sub-section (1) of Section 6 of the Capital Issues (Contro.) Act, 1947 (29 of 1947), the Central Government hereby exempts the Industrial Credit and Investment Corporation of India Limited from the provisions of Sections 3 and 5 of the said Act in respect of the issue of Bonds or debentures of the value not exceeding Rs. 3 00 00 000 (rupees three crores) to be made by the said Corporation to the Industrial Development Bank of India covering a loan of like amount to be granted by the said Bank to the said Corporation.

[No. R 166-CCI/66.]

A. K. NATARAJAN,

Deputy Controller of Capital Issues.

**CENTRAL BOARD OF DIRECT TAXES**

**ESTATE DUTY**

New Delhi, the 12th May 1967

**S.O. 1792.**—In exercise of the powers conferred by the second proviso to sub-section (2) of Section 4 of the Estate Duty Act, 1953 (34 of 1953) and in supersession of its notification No. 15/F. No. 21/35/64-E.D., dated the 11th May, 1964 and subsequent corrigendum No. 47/F. No. 21/35/64-E.D., dated the 2nd July, 1964 published as S.O. 1717 and S.O. 2365 in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 23rd May, 1964 and 11th July, 1964 respectively, the Central Board of Direct Taxes hereby directs that every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty-cum-Income-tax Circle, DIBRUGARH shall perform his functions as Assistant Controller in the said circle to the exclusion of all other Assistant Controllers in respect of the estates of all deceased persons, who, immediately before their death, were being or would have been assessed to income-tax, had they derived any taxable income in any Income-tax Circle within the Ranges of the:—

- (i) Inspecting Assistant Commissioner of Income-tax, Shillong Range, Shillong; and
- (ii) Inspecting Assistant Commissioner of Income-tax, Dibrugarh Range, Dibrugarh.

*Explanatory Note*

[This note does not form a part of the Notification but is intended to be merely clarificatory.]

This notification has become necessary due to the creation of another Range of an Inspecting Assistant Commissioner of Income-tax at Dibrugarh.

[No. 7/F. No. 21/140/67-E.D.]

N. K. DUTT, Under Secy.

**INCOME-TAX**

New Delhi, the 16th May 1967

**S.O. 1793.**—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-Tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 20 (F. No. 55/1/62-IT), dated the 30th April 1963 published as S.O. 1293 on

pages 1454—1457 of the Gazette of India, Part II, Section 3, sub-section (ii), dated the 11th May 1963, as amended from time to time:—

The existing entries under columns (1), (2) and (3) against S. No. 6 shall be substituted by the following entries:—

Income-Tax Commissioners	Headquarters	Jurisdiction
(1)	(2)	(3)
(Central Bombay)	Panaji	1. Central sections I to XVII, Bombay. 2. Central Circle I to III Nagpur.

[No. 34/F. No. 55/143/67-IT(A.II).]

A. RAGHAVENDRA RAO, Under Secy.

#### INCOME-TAX

*New Delhi, the 19th May 1967*

**S.O. 1794.**—In exercise of the powers conferred by Sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following further amendment in the Schedule appended to its Notification No. 17 Income-tax dated 14th January, 1966, namely:

Against Nasik Range, Nasik under column 2, the following shall be added:

18. Additional Special Survey Circle, Thana.

#### *Explanatory Note*

The amendment has become necessary on account of creation of new circle known as Additional Special Survey Circle, Thana, in the Commissioner's Charge.

(This note does not form part of the notification but is intended to be merely clarificatory).

[No. 35/F. No. 50/88/67-ITJ.]

**S.O. 1795.**—In exercise of the powers conferred by Sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following amendment to the Schedule appended to its Notification No. 18 (F. No. 50/3/66-ITJ) dated the 18th January, 1966, namely:—

In the said Schedule under column 2 against Trivandrum Range the following shall be added namely:

7. Income-tax Circle, Thiruvalla.

#### *Explanatory Note*

The amendment has become necessary on account of creation of a new circle at Thiruvalla in the Commissioner's charge.

(This note does not form part of the notification but is intended to be merely clarificatory).

[No. 36/F. No. 50/103/67-ITJ.]

T. N. PANDEY, Under Secy.

#### CENTRAL EXCISE COLLECTORATE, DELHI

*Delhi, the 8th May 1967*

**S.O. 1796.**—In pursuance of Rule 5 of the Central Excise Rules, 1944, I hereby authorise the officers mentioned in column 2 of the table given below to exercise within their respective jurisdiction, the powers of the Collector under rules



mentioned in column 3 of the table subject to the limitations in column 4 of the table:—

Serial No.	Rank of Officers	C.E. Rule	Limitation if any
1	2	3	4
1.	Assistant Collectors	47 and 53 of C.E. Rules, 1944.	To grant permission to the Manufacturer of excisable goods not to make entries in KC1/EE4 account on the date when there is no production, receipt in store room or clearance of the particular excisable produce.

[No. 2/67.]

R. PRASAD, Collector.

### POONA CENTRAL EXCISE COLLECTORATE

*Poona, the 8th May 1967*

**S.O. 1797.**—In exercise of the powers vested in me under Rule 5 of the Central Excise Rules, 1944, I empower all Assistant Collectors in charge of Divisions in the Poona Central Excise Collectorate to exercise in their respective jurisdictions the powers of the Collector under the proviso to Rule 53 of the Central Excise Rules, 1944.

[No. CER 3/67]

M. C. DAS, Collector.

### MINISTRY OF COMMERCE

*New Delhi, the 16th May 1967*

**S.O. 1798.**—In exercise of the powers conferred by section 3 of the Textiles Committee Act, 1963 (41 of 1963) read with sub-rule (2) of rule 8 of the Textile Committee Rules, 1965, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Commerce No. S.O. 214, dated the 22nd August, 1964, namely:—

In the said notification, entry 28 shall be omitted and the entries 29 and 30 shall be renumbered as entries 28 and 29.

[No. F. 19(1)-TEX(A)/67.]

T. S. KUNCHITHAPATHAM, Dy. Secy

### TEA CONTROL

*New Delhi, the 16th May 1967*

**S.O. 1799.**—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (29 of 1953), read with rules 4 and 5 of the Tea Rules, 1954, the Central Government hereby appoints Mr. D. P. Wallace as a member of the Tea Board until the 31st March, 1969, in the vacancy caused by the resignation of Mr. E. H. Hannay, and makes the following further amendment in the notification of the Government of India in the Ministry of Commerce No. S.O. 1143 dated the 6th April, 1966, namely:—

In the said notification for entry 3, the following entry shall be substituted, namely:—

"Mr. D. P. Wallace, Member, Share } Representing owners of tea estates  
Wallace & Co., Ltd., Calcutta. } and gardens and growers of tea."

[No. 7(2)-Plant(A)/65.]

B KRISHNAMURTHY, Under Secy

## (Office of the Chief Controller of Imports and Exports)

## ORDER

*New Delhi, the 12th April 1967*

**S.O. 1800.**—In exercise of the powers conferred by Clause 9 of the Import Control Order, 1955 dated 7th December 1955 as amended, the undersigned hereby cancel's the Customs and Exchange Control Purposes Copies of the import licence No. P/CG/2047282/C/HG/22/C/H/21/CG-IV, dated 8th Nov. 1965, for Rs. 4,00,000 (Rs. four lakhs only) issued to M/s. National Steel Products Co., No. 2, Swadhina Sadan, 'C' Road, Churchgate, Bombay. The licence in question was not registered with any Customs House and remained unutilised.

The reason for the cancellation is that the Customs and Exchange Control copies of the licence had been lost/misplaced by the licensee who has requested for the issue of a duplicate licence in lieu thereof.

[No. 2a(216)/64-65/CG-IV/72.]

Y. J. DENNISON,

Dy. Chief Controller of Imports & Exports  
for Chief Controller of Imports & Exports

## (Office of the Joint Chief Controller of Imports and Exports)

## ORDER

*New Delhi, the 18th May 1967*

**S.O. 1801.**—Whereas M/s. Bhartiya Audyogic Pratishthan of Industrial Estate, P.O. Patliputra, Patna-3 or any Bank or any other person have not come forward furnishing sufficient cause against Notice No. Pt. IV/DI/56/66-67/AU IV, dated 6th May 1967 proposing to cancel licence No. P/SS/1574810/C/XX/23/C/C/23-24, dated 27th March, 1967 for Rs. 51,000 (Rupees fifty one thousand only) for import of (1) Carnuba wax, (2) Ethylene, Glycol (3) Carborandum from the General Area except South and South West Africa granted to the said M/s. Bhartiya Audyogic Pratishthan of Industrial Estate, P.O. Patliputra, Patna-3 by the Jt. Chief Controller of Imports and Exports, Calcutta. The Government of India in the Ministry of Commerce in exercise of the powers conferred by Clause 9 of the Imports (Control) Order, 1955 hereby cancel the said licence No. P/SS/1574810/C/XX/23/C/C/23-24, dated 27th March, 1967 issued to M/s. Bhartiya Audyogic Pratishthan of Industrial Estate, P.O. Patliputra, Patna-3.

[No. 68/67/E &amp; L]

P. K. GHOSH,

Dy. Chief Controller of Imports and Exports.  
for Jt. Chief Controller of Imports and Exports

## MINISTRY OF PETROLEUM &amp; CHEMICALS

(Department of Petroleum)

## ORDER

*New Delhi, the 15th May 1967*

**S.O. 1802.**—In pursuance of the second proviso to sub-paragraph (2) of paragraph 3 of the Petroleum Products (Supply and Distribution) Order, 1966, the Central Government hereby specifies that in the case of Light Diesel Oil, the Government of the State of Rajasthan may, without the previous approval of the Central Government issue directions to the officer-in-charge of the depot mentioned in column 2 of the Table below of the oil distributing company mentioned in the corresponding entry in column 1 thereof for the equitable distribution of LDO within the State, to the extent of the stocks actually held in the depot at any time

## THE TABLE

Name of the oil distributing company	Name of the depot
Burmah Shell Oil Storage & Distributing Co. of India Limited, Bombay.	Jaipur. Jodhpur. Ajmer. Kota Hanumangarh. Alwar. Udaipur.
Esso Standard Eastern Inc, Bombay.	Jaipur. Ajmer. Kota. Alwar. Sriganaganagar.
Caltex (India) Limited, Bombay.	Jaipur. Jodhpur. Ajmer. Kota. Hanumangarh.
Indian Oil Corporation, Limited, Bombay.	Jaipur Ajmer Kota Hanumangarh Udaipur Ralkabagh Lalgarh Junction.

[No. F. 51(2)/66-IOC.]

P. P. GUPTA, Under Secy

## (Department of Petroleum)

## ERRATUM

New Delhi, the 16th May 1967

**S.O. 1803.**—In notification of Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2871 dated the 19th September, 1966 published in the Gazette of India Part II Section 3 in the Sub-section (ii), dated 1st October, 1966 at page 2773, against Village Palana:

For  
S. No. 1396/2

Read  
S. No. 1358/2

[No. 31(41)/64-Prod. (Vol. II).]

C. P. JACOB, Under Secy.

## CENTRAL WAREHOUSING CORPORATION

## NOTICE

New Delhi, the 9th May 1967

**S.O. 1804.**—In exercise of the powers conferred by Rule 13 of the Central Warehousing Corporation Rules, 1963, the name and address of the Director duly elected by the respective class of shareholders under clause (e) of sub-section (1) of Section 7 of the Warehousing Corporations Act, 1962, to fill in the vacancy arising from 18th March, 1967, is notified below:—

Class of shareholder	Name of the Director
1. Co-operative Societies	Shri B. Bhakthavathsalu Naidu. President, Co-operative Central Bank Ltd. Vellore. North Arcot Dist.

[No. F. 26-10/64-SG. II.]

W. K. GHARPUREY,  
Financial Adviser.

# MINISTRY OF INDUSTRIAL DEVELOPMENT AND COMPANY AFFAIRS

(Department of Industrial Development)

(Indian Standards Institution)

New Delhi, the 15th May 1967

S.O. 1865.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as subsequently amended, the Indian Standards Institution hereby notifies that fifty-three licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

## THE SCHEDULE

Sl. No.	Licence No. and Date	Period of Validity		Name and Address of the Licensee	Article/Process covered by the Licence	Relevant Indian Standard
		From	To			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	CM/L-78, 24-4-1958	1-5-67	30-4-68	M/s. Crossley and Towers Pvt. Ltd., 3, Robinson Street, Calcutta-16.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests ( <i>second revision</i> ).
2	CM/L-80, 21-4-1958	1-5-67	30-4-68	M/s. Das & Co., 32, Chaulpatty Road, Calcutta-10.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests ( <i>second revision</i> ).
3	CM/L-82, 21-4-1958	1-5-67	30-4-68	M/s. Dhubri Plywood Factory, Dhubri.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests ( <i>second revision</i> ).
4	CM/L-86, 24-4-1958	1-5-67	30-4-68	The Surma Match & Industries Pvt. Ltd., 67B, Netaji Subhas Road, Calcutta-1.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chests ( <i>second revision</i> ).
5	CM/L-180, 30-3-1960	16-4-67	15-4-68	M/s. Shiv Scientific & Chemicals, 55, Industrial Estate, Agra.	Nitric acid, pure and analytical reagent grades.	IS : 264-1950 Specification for nitric acid.
6	CM/L-181, 30-3-1960	16-4-67	15-4-68	M/s. Shiv Scientific & Chemicals, 55, Industrial Estate, Agra.	Hydrochloric acid, pure and analytical reagent grades.	IS : 265-1962 Specification for hydrochloric acid.
7	CM/L-182, 30-3-1960	16-4-67	15-4-68	M/s. Shiv Scientific & Chemicals, 55, Industrial Estate, Agra.	Sulphuric acid, pure and analytical reagent grades.	IS : 266-1961 Specification for sulphuric acid.
8	CM/L-186, 26-4-1960	1-5-67	30-4-68	M/s. P. S. G. Industrial Institute, Peelamedu, Coimbatore (Madras State)	Three-phase induction motors up to 10 hp only with 'Class A' insulation.	IS : 325-1961 Specification for three-phase induction motors ( <i>second revision</i> ).
9	CM/L-241, 21-11-1960	16-4-67	15-4-68	M/s. Bharat Pulverising Mills Pvt Ltd, Chinchpokli Cross Lane, Byculla, Bombay-8.	BHC water dispersible powder concentrates.	IS : 562-1962 Specification for BHC water dispersible powder concentrates ( <i>second revision</i> ).

10	CM/L-285, 28-3-1961	16-4-67	15-4-68	M/s All India Medical Corpn., Mulji Jetha Building, 185 Princess Street, Bombay-2.	BHC dusting powders	IS : 561-1962 Specification for BHC dusting powders (second revision)
11	CM/L-288, 28-3-1961	16-4-67	15-4-68	M/s Dr. Writers Chocolate & Canning Co., Bhavanishankar Road, Dadar, Bombay-28.	Macaroni, spaghetti and vermi- celli.	IS : 1485-1959 Specificat on for maca- roni spaghetti and vermicelli.
12	CM/L-396, 20-3-1962	1-4-67	31-3-68	M/s Hindustan Steel Ltd., Bhilai Steel Works, P. O. Bhilai-1, Distt. Durg, having their regd. office at Bihar Secretariat Building, P.O. Hinoo, Ranchi	Structural Steel (standard quality)	IS : 226-1962 Specificat' on for struc- tural steel (standard quality) (third Revision)
13	CM/L-397, 20-3-1962	1-4-67	31-3-68	M/s Hindustan Steel Ltd., Bhilai Steel Works, P.O. Bhilai-1, Distt. Durg having their regd. office at Bihar Secretariat Building, P.O. Hinoo, Ranchi.	Mild steel and medium tensile steel bars for concrete rein- forcement.	IS : 432-1960 Specification for mild steel and medium tensile steel bars and hard-drawn steel wire for concrete reinforcement (revised).
14	CM/L-398, 20-3-1962	1-4-67	31-3-68	M/s. Hindustan Steel Ltd., Bhilai Steel Works, P.O. Bhilai-1, Distt. Durg, having their regd. office at Bihar Secretariat Build- ing, P.O. Hinoo, Ranchi.	Structural steel (high tensile)	IS : 961-1962 Specification for struc- tural steel (high tensile) (revised).
15	CM/L-399, 20-3-1962	1-4-67	31-3-68	M/s. Hindustan Steel Ltd., Bhilai Steel Works, P.O. Bhilai-1, Distt. Durg, having their regd. office at Bihar Secretariat Build- ing, P.O. Hinoo, Ranchi.	Rivet bars for structural pur- poses.	IS : 1148-1964 Specification for rivet bars for structural purposes (revised).
16	CM/L-400, 20-3-1962	1-4-67	31-3-68	M/s. Hindustan Steel Ltd., Bhilai Steel Works, P.O. Bhilai-1, Distt. Durg, having their regd. office at Bihar Secretariat Build- ing, P.O. Hinoo, Ranchi.	High tensile rivet bars for structural purposes.	IS : 1149-1964 Specification for high tensile rivet bars for structural pur- poses (revised).
17	CM/L-402, 29-3-1962.	16-4-67	15-4-68	M/s. Modi Gas & Chemicals, Modinagar, Distt. Meerut	Stearic acid, technical, grade	IS : 1675-1960 Specification for stearic acid.
18	CM/L-403, 2-4-1962.	16-4-67	15-4-68	The Hindusthan Mineral Pro- ducts Co. Pvt. Ltd., Plot No. 27, Manganese Depot, Sewri, Bombay-15 havin their head office at 111, Industrial Area, Sion, Bombay-22.	BHC dusting powders	IS : 561-1962 Specification for BHC dusting powders (second revision).

(1)	(2)	(3)	(4)	(5)	(6)	(7)
19	CM/L-404 25-4-1952	1-5-67	31-10-67	M/s Bharat Pulverising Mills Pvt. Ltd., Levee House, 23-A, Sayani Road, Bombay.	Alirin emulsifiable concentrates	IS : 1327-1953 Specification for al- drin emulsifiable concentrates.
20	CM/L-406 25-4-1962	1-5-67	30-4-68	The Griggs Plywood Co. Pvt. Ltd., 35 Dent Mission Road, Calcutta-23.	Tea-chest Plywood panels	IS : 10-1954 Specification for plywood tea-chests (second revision)
21	CM/L-517 22-3-1963	16-4-67	15-4-68	M/s Yawalkar Insecticides & Chemicals, Factory Shed No. 20, Industrial Estate, Kamptee Road, Nagpur-4 having their office at Bhagwagar Layout, Dharampet Nagpur-1.	BHC dusting powders	IS : 531-1952 Specification for BHC dusting powders (second revision)
22	CM/L-528 18-4-1963	1-5-67	30-4-68	M/s Hajipur Plywood Factory, Hajipur, Distt. Muzaffarpur (Bihar) having their office at 9 Clive Row, Calcutta-1.	Tea-chest plywood panels	IS : 10-1954 Specification for plywood tea-chest (second revision)
23	CM/L-532 21-2-1964	1-4-67	31-3-68	M/s Bayer (India) Ltd., off Cadell Road, Bombay-28 having their regd. office at Nagn Mahal, 6th Floor, Veer Nariman Road, Fort, Bombay-1.	Organo mercurial dry-seed dressing formulations	IS : 3284-1965 Specification for Organo mercurial dry seed dressing formu- lations.
24	CM/L-644 11-3-1964	16-4-67	15-4-68	M/s Lachhminarayan Midan Lal, No. 2, Haren Mukherjee Road, Howrah having their office at 46 Strand Road, Calcutta-7.	Wrought aluminium utensils, grade SIC	IS : 21-1959 Specification for wrought alumi- num and aluminium alloy for utensils (second revision)
25	CM/L-646 19-3-1964	16-4-67	15-4-68	M/s Jagatjit Distilling & Allied Industries Ltd., Jagatjit Nagar (Rly. Station Hamira, Northern Rly.), Distt. Kapurthala.	Malt extract	IS : 2404-1963 Specification for malt extract

(1)	(2)	(3)	(4)	(5)	(6)	(7)
19	CM/L-404 25-4-1952	1-5-67	31-10-67	M/s Bharat Pulverising Mills Pvt. Ltd., Ixwami House, 28-A, Sayani Road, Bombay.	Aldrin emulsifiable concentrates	IS : 1307-1953 Specification for aldrin emulsifiable concentrates.
20	CM/L-406 25-4-1962	1-5-67	30-4-68	The Ganges Plywood Co. Pvt. Ltd., 35 Dent Mission Road, Calcutta-23.	Tea-chest Plywood panels	IS : 10-1964 Specification for plywood tea-chests ( <i>second revision</i> )
21	CM/L-517 22-3-1963	16-4-67	15-4-68	M/s Yawalkar Insecticides & Chemicals, Factory Shed No. 20, Industrial Estate, Kamptee Road, Nagpur-4 having their office at Bhagwaghar Layout, Dharampet Nagpur-1.	BHC dusting powders	IS : 551-1952 Specification for BHC dusting powders ( <i>second revision</i> )
22	CM/L-528 18-4-1963	1-5-67	30-4-68	M/s Hajipur Plywood Factory, Hajipur, Distt. Muzaifarpur (Bihar) having their office at 9 Clive Row, Calcutta-1.	Tea-chest plywood panels	IS : 10-1964 Specification for plywood tea-chest ( <i>second revision</i> )
23	CM/L-532 21-2-1964	1-4-67	31-3-68	M/s Bayer (India) Ltd., off Cadell Road, Bombay-28 having their regd. office at Nagin Mahal, 6th Floor, Veer Nariman Road, Fort, Bombay-1.	Organo mercurial dry-seed dressing formulations	IS : 3284-1965 Specification for Organo mercurial dry seed dressing formulations.
24	CM/L-644 11-3-1964	16-4-67	15-4-68	M/s Lachmipal Madan Lal, No. 2, Haren Mukherjee Road, Howrah having their office at 46 Strand Road, Calcutta-7.	Wrought aluminium utensils, grade S1C	IS : 21-1959 Specification for wrought aluminium and aluminium alloy for utensils ( <i>second revision</i> )
25	CM/L-646 19-3-1964	16-4-67	15-4-68	M/S Jagatjit Distilling & Allied Industries Ltd., Jagatjit Nagar (Rly. Station Hamira, Northern Rly.), Distt. Kapurthala.	Malt extract	IS : 2404-1963 Specification for malt extract

(1)	(2)	(3)	(4)	(5)	(6)	(7)
34	CM/L-1037 22-3-1965	16-4-67	15-4-68	M/s Anand Insecticides, 4/5 Elaiya Mudali Street, Koruppet, Madras-21 having their office at 17 First Cross St., C.I.T. Colony, Madras-21.	BHC water dispersible concentrates.	IS : 562-1962 Specification for BHC water dispersible powder concentrates (second revision).
35	CM/L-1044 26-3-1965	16-4-67	15-4-68	M/s Shibu Metal Works, Subzi Mandi, Jagadhri.	Wrought aluminium, utensils, grade SIC.	IS : 21-1959 Specification for wrought aluminium and aluminium alloy for utensils (second revision).
36	CM/L-1047 29-3-1965	16-4-67	15-4-68	M/s Baghross, Delhi Road, Sonapat (Near Delhi).	Cast iron surface plates, grade 1, 400/400 mm size only.	IS : 2285-1962 Specification for cast iron surface plates.
37	CM/L-1048 29-3-1965	16-4-67	15-4-68	M/s Dhanpat Mul Jawaia Das Feed Mills, 33, Najafgarh Industrial Area, New Delhi-15 (Factory under the Style of Nandi Provinder Mills).	Balanced feed mixture for cattle.	IS : 2052-1962 Specification for balanced feed mixture for cattle.
38	CM/L-1049 31-3-1965	1-5-67	30-4-68	M/s Jindal (India) Pvt. Ltd. 4 Dharamtala Road, P.O. Belurmath, Distt. Howrah (W. Bengal) having their office at 161-1 Mahatma Gandhi Rd. Calcutta-7.	Mild steel tubulars and sockets.	IS : 1239-1964 Specification for mild steel tube and tubulars (revised).
39	CM/L-1050 31-3-1965	16-4-67	15-4-68	M/s Kashmiria Ceramic Products Pvt. Ltd, G.B. Road, Vill. Mira, Borivli, Bombay-66	Salt-glazed Stoneware pipes and fittings of diameter 100 mm, 150 mm, 200 mm, and 300 mm.	IS : 651-1962 Specification for salt-glazed stoneware pipes and fittings (revised).
40	CM/L-1051 7-4-1965	1-5-67	30-4-68	M/s Bharat Pulverising Mills Pvt. Ltd, Hexamar House, 28-A, Sayari Road, Bombay.	Malathion emulsifiable concentrates.	IS : 2567-1962 Specification for malathion emulsifiable concentrates.
41	CM/L-1055 30-4-1965	1-5-67	30-4-68	M/s Indian Mineral Industries Ltd, Tranching Ground Approach Road, Agarpara, 24 Parganas having their regd. office at 22/1 Durrum Road, Calcutta-2.	BHC dusting powders.	IS : 561-1962 Specification for BHC dusting powders (second revision).
42	CM/L-1229 23-3-1966	16-4-67	15-4-68	M/s Dhanpat Mul Jawaia Das Feed Mills, 33, Najafgarh Industrial Area, New Delhi-15 (Factory Under the Style of Nandi Provinder Mills).	Poultry feeds, starting, growing and laying.	IS : 1374-1964 Specification for poultry feeds.



43	CM/L-1235 30-3-1966	16-4-67	15-4-68	M/s. New Chemi-Mineral Mills Pvt. Ltd., Chakravarti Ashoka Road, Ashok Nagar, Kandivli (East), Bombay-67 having their office at 7-A, Dean Lane, Fort, Bombay -1 BR.	Endrin emulsifiable concent- rates.	IS : 1310-1958 Specification for endr emulsifiable concentrates.
44	CM/L-1237 1-4-1966	16-4-67	15-4-68	M/s. Fort Gloster Industries Ltd., Bauria, S.E. Rly. having their regd. office at 23A, Netaji Subhas Road, Calcutta-1.	Paper insulated lead-sheathed cables with aluminium con- ductors for electricity supply upto and including 33kV.	IS : 692-1965 Specification for paper insulated lead-sheathed cables for electricity supply (revised).
45	CM/L-1239 4-4-1966	16-4-67	15-4-68	M/s. Venkateswara Agro Chemi- cals & Minerals, 6/303, Thiruvattur High Road, Madras-21.	BHC dusting powders	IS : 561-1962 Specifications for BHC dusting powders (second revision).
46	CM/L-1240 4-4-1966	16-4-67	15-4-68	M/s. Venkateswara Agro Chemi- cals & Minerals, 6/303 Thiruvattur High Road, Madras-21.	DDT dusting powders.	IS : 561-1961 Specification for DDT dusting powders (revised).
47	CM/L-1241 6-4-1966	16-4-67	15-4-68	M/s. Union Plastic Industries Pvt. Ltd., Oldham Distt. Ahmedabad having their regd. office at Seaward House, Mirzapur Road, Ahmedabad-1.	(i) Single core (unsheathed) PVC insulated cables with aluminium conductors, 250/ 440 volts and 650/1100 volts grades. (ii) Single core (PVC sheathed) PVC insulated cables with aluminium conductors, 250/ 440 volts and 650/1100 volts grades.	IS : 624-(Part II)-1964 Specification for PVC insulated cables (for voltages up to and including 1100 volts) with alum- inium conductors.
48	CM/L-1242 14-4-1966	16-4-67	15-4-68	M/s. Plava Chemicals, C. Nel- son Maricar Madanar, P.O. Annjikarai, Madras-29	Endrin emulsifiable concentrates	IS : 1310-1958 Specification for endrin emulsifiable concentrates.
49	CM/L-1245 21-4-1966	1-5-67	30-4-68	M/s. Assam Conductor Tubes Pvt. Ltd., Industrial Estate, Gauhati (Assam)	Hard-drawn stranded aluminium and steel-coated aluminium conductors for overhead power transmission purposes.	IS : 398-1961 Specification for hard-dra- wn stranded aluminium and steel-coated aluminium conductors for overhead power transmission purposes (revised)
50	CM/L-1246 21-4-1966	1-5-67	30-4-68	M/s. Mysore Feeds (Pvt) Ltd., Mysore Road, Nayandaballi, Bangalore having their office at 230 Old Thara- gupet, Bangalore-2.	Balanced feed mixtures for cattle.	IS : 2042-1962 Specification for balanced feed mixtures for cattle.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
51	CM/I-1252 26-4-1966	1-5-67	30-4-68	M/s. Mukand Iron & Steel Works Ltd., Kalwe, Thana (Maharashtra State).	Structural steel (standard quality)	IS : 226-1962 Specification for structural steel (standard quality) ( <i>third revision</i> ).
52	CM/I-1253 26-4-1966	1-5-67	30-4-68	M/s. Mukand Iron & Steel Works Ltd., Kalwe, Thana (Maharashtra State).	Structural steel (ordinary quality)	IS : 1977-1962 Specification for structural steel (ordinary quality).
53	CM/I-1257 29-4-1966	1-5-67	30-4-68	M/s. New Chemical Mills Pvt. Ltd., Chakravati Ashoka Road, Kurla (East), Bombay-67 having their office at 7-A, Dean Lane, Fort, Bombay-1.	DDT water dispersible powder concentrates.	IS : 565-1961 Specification for DDT water dispersible powder concentrates ( <i>revised</i> ).

[No. MD/33:16/A.]

New Delhi, the 16th May 1967

**S.O. 1806.**—In pursuance of sub-regulation (4) of Regulation 14 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as subsequently amended, the Indian Standards Institution hereby notifies that Certifications Marks Licence No. CM/L-1377, particulars of which are given in the schedule hereto annexed, has been cancelled with effect from 2 May 1967:

**THE SCHEDULE**

Licence No. and Date	Name and Address of the Licensee	Article/Process Covered by the Licence	Relevant Indian Standard
CM/L-1377 30-12-66	Davilaval (Sales) Pvt. Ltd., Gupta Mills Estate, Reay Road, Darukhana, Bombay-10.	Endrin Emulsifiable Concentrates.	IS:1310-1958 Specification for Endrin Emulsifiable Concentrates.

[No. MD/12:2197-A.]

S. K. SEN,  
Deputy Director General

**MINISTRY OF HEALTH AND FAMILY PLANNING**

(Department of Health)

New Delhi, the 16th May 1967

**S.O. 1807.**—Whereas in pursuance of clause (e) of sub-section (2) of section 3 of the prevention of Food Adulteration Act, 1954 (37 of 1954), the State Government of Kerala has re-nominated Shri P. Janardhana Iyer, Chief Government Analyst, Trivandrum, as a member of the Central Committee for Food Standards, representing that Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the said Act, the Central Government hereby directs that Shri P. Janardhana Iyer, Chief Government Analyst, Trivandrum, shall continue to be a member of the Central Committee for Food Standards.

[No. F. 14-25/67-PH.]

M. C. JAIN, Under Secy.

(Department of Health)

**ORDER**

New Delhi, the 16th May 1967

**S.O. 1808.**—Whereas the Government of India in the Ministry of Health has, by notification No. 16-5/62 MI, dated the 23rd July 1962 made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification M.D. awarded by the University of Georgetown, Washington, USA for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956) the Central Government hereby specifies a further period from the 1st January, 1967 to the 31st December, 1967 or so long as Dr. (Miss) Eileen Niedfield who possesses the said qualification, continues to work in the Holy Family Hospital, Mandar, Ranchi Distt. to which she is attached for the time being for the purposes of teaching research or charitable work, whichever is shorter, as the period to which the medical practise of the said Dr. (Miss) Eileen Niedfield, shall be limited.

[No. F. 19-29/66-MPT.]

V. K. SAMANTROY, Under Secy.

**MINISTRY OF EDUCATION**  
**(Cultural Activities Division I)**  
**[CAI(I) Section]**

**ARCHAEOLOGY**

*New Delhi, the 16th May 1967*

**S.O. 1809.**—Whereas the Central Government is of opinion that an ancient monument specified in the Schedule attached hereto is of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance;

Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

## "THE SCHEDULE"

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Himachal Pradesh	Kangra	Hamirpur	Sujanpur	Nirhalishwar temple and including the paintings therein as well as the subsidiary shrines within the compound wall together with adjacent land confined in survey plot No. 786.	Survey plot No. 786	4 Kanal 2 Marla	North : Survey plot No. 789.  East : Survey plot Nos. 787 and 788.  South : Survey plot No. 785.  West : Survey plot Nos. 784 and 789.	Temple property.	Within temple compound wall there is Pujari quarter as well as Kitchen.

[No. F. 4/23/66-CAI(I).]

**S.O. 1810.**—Whereas by the notification of the Government of India in the Ministry of Education No. S.O. 2 27, dated the 17th September, 1966, the Central Government gave notice of its intention to declare the ancient monuments specified in the Schedule below to be of national importance;

And whereas no objections have been received to the making of such declaration;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said ancient monuments to be of national importance.

**"THE SCHEDULE"**

Sl. No.	State	District	Tehsil	Locality	Name of monuments	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
I	2	3	4	5	6	7	8	9	10	11
1	Jammu & Kashmir	Udhampur	Ramnagar	Thakora	Ancient temple (Kala Dera I, Babour) together with adjacent land comprised in survey plot No. 3699 and part of survey plot Nos. 3696 and 3700	Survey plot No. 3699 and parts of survey plot Nos. 3696 and 3700 as shown in the plan reproduced below.	One Kanal 15 Marlas and 20 sq. ft.	North :—Remaining portion of survey plot No. 3700. East :—Remaining Portion of survey plot No. 3696. South :—Remaining portion of Survey plot No. 3696. West :—Remaining portion of survey plot Nos. 3696 and 3700.	Shamlat Deh	Not in Religious use.
2	Jammu & Kashmir	Udhampur	Ramnagar	Thakora	Ancient temple (Kala Dera II, Babour) together with adjacent land comprised in part of survey plot No. 3700.	Part of Survey plot No. 3700 as shown in the plan reproduced below.	Two Kanals 13 Marlas and 24 sq. ft.	North :—Remaining portion of survey plot No. 3700. East :—Remaining portion of Survey Plot No. 3700. South :—Remaining port on of Survey plot No. 3700. West :—Remaining portion of Survey plot No. 3700.	Shamlat Deh	Not in Religious use.

# AT THALORA

METRES 0 30 60 90 120 0 100 200 300 FEET



### LIMITS OF PROPOSED PROTECTION ---

1111 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1

[No. F. 4/24/66-CAI(I).]



**S.O. 1811.**—Whereas by the notification of the Government of India in the Ministry of Education No. S.O. 2073, dated the 2nd July, 1966, the Central Government gave notice of its intention to declare the ancient monuments specified in the Schedule below to be of national importance;

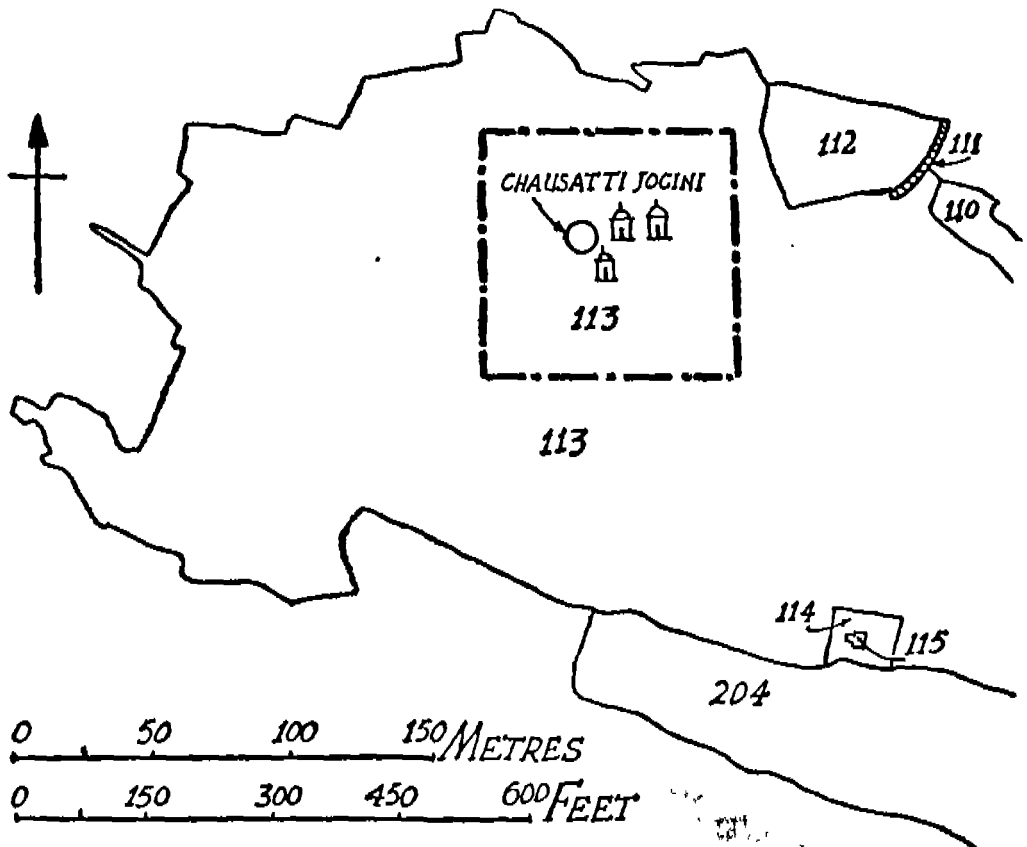
And whereas no objections have been received to the making of such declaration;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said ancient monuments to be of national importance.

## THE SCHEDULE

Sl. No.	State	District	Sub-Division	Locality	Name of monuments	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Orissa	Bolangir	Titlagarh P.S. Sindhekela	Jharial	Chausatti Jogini temple together with three minor shrines and adjacent land comprised in part of Survey plot No. 113 as shown in the plan reproduced below.	Part of Survey plot No. 113 as shown in the plan reproduced below.	8 10 acres	<p>North :—Remain- ing portion of survey plot No. 113.</p> <p>East :—Remain- ing portion of survey plot No. 113.</p> <p>South :—Remain- ing portion of survey plot No. 113.</p> <p>West :—Remain- ing port on of survey plot No. 113.</p>	State Government.	

# SITE PLAN OF CHAUSATTI JOGINI & GROUP OF TEMPLES AT JHARIAL



LIMITS OF PROPOSED PROTECTION

[No. F. 4/8/66-CAI(I).]

**S.O. 1812.**—Whereas by the notification of the Government of India in the Ministry of Education No. S.O. 1616, dated the 27th May, 1966, the Central Government gave notice of its intention to declare the ancient monuments specified in the Schedule below to be of national importance;

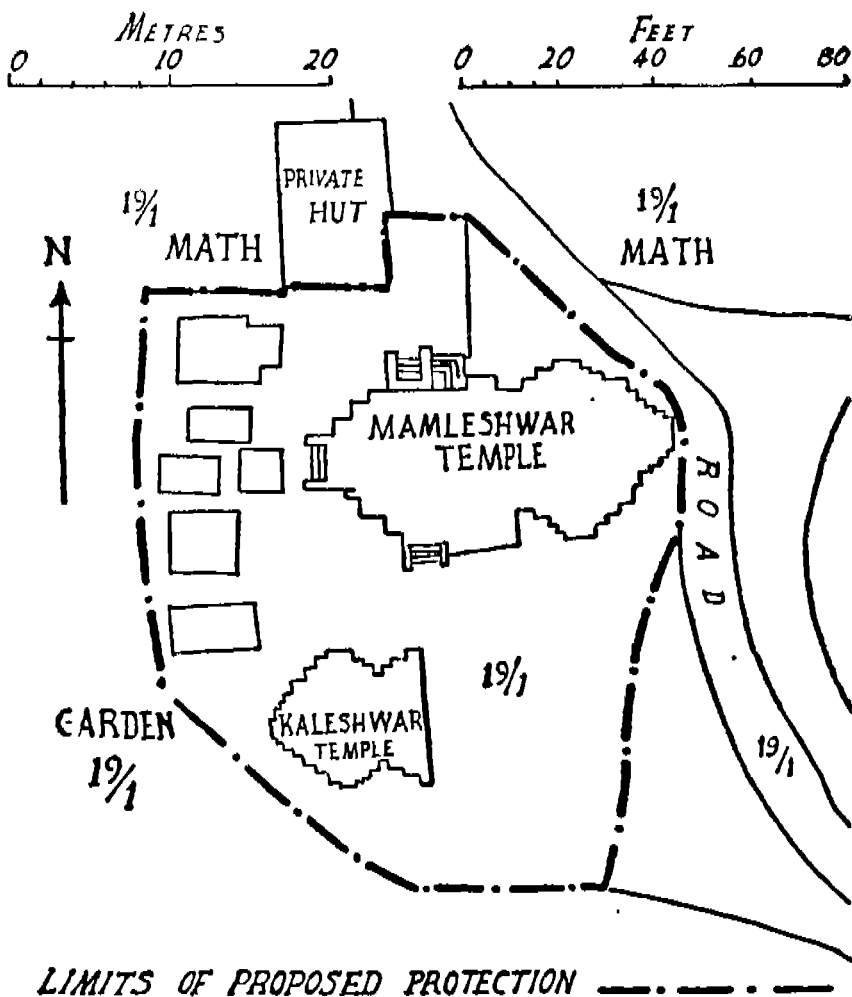
And whereas no objections have been received to the making of such declaration;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said ancient monuments to be of national importance.

THE SCHEDULE

SL. No.	State	District	Tehsil	Locality	Name of monuments	Revenue plot number to be included under protection.	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Madhya Pradesh	Nimar East	Khandwa	Godadpura (Oukar Mandhara)	Amleshwar alias Mamleshwar group of temple, including Kaleshwar temple together with adjacent land comprised in part of survey plot No. 191 as shown in the plan reproduced below.	Part of survey plot No. 191 as shown in the plan reproduced below.	0.35 acres	North :—Road, private hut and Siwba Math in remaining portion of survey plot No. 191. East :—Road and remaining portion of survey plot No. 191. South :—Open land and garden in remaining portion of survey plot No. 191. West :—Siwba Math and garden in remaining portion of survey plot No. 191.	Private	Under religious worship

# SITE PLAN OF MAMLESHWAR GROUP OF TEMPLES AT GODADPUR



[No. F. 4/12/66-CAI(I).]

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**S.O. 1813.**—Whereas by the notification of the Government of India in the Ministry of Education No. S.O. 2695, dated the 27th September, 1966, the Central Government gave notice of its intention to declare the ancient monument specified in the Schedule below to be of national importance;

And whereas no objections have been received to the making of such declaration;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares the said ancient monument to be of national importance.

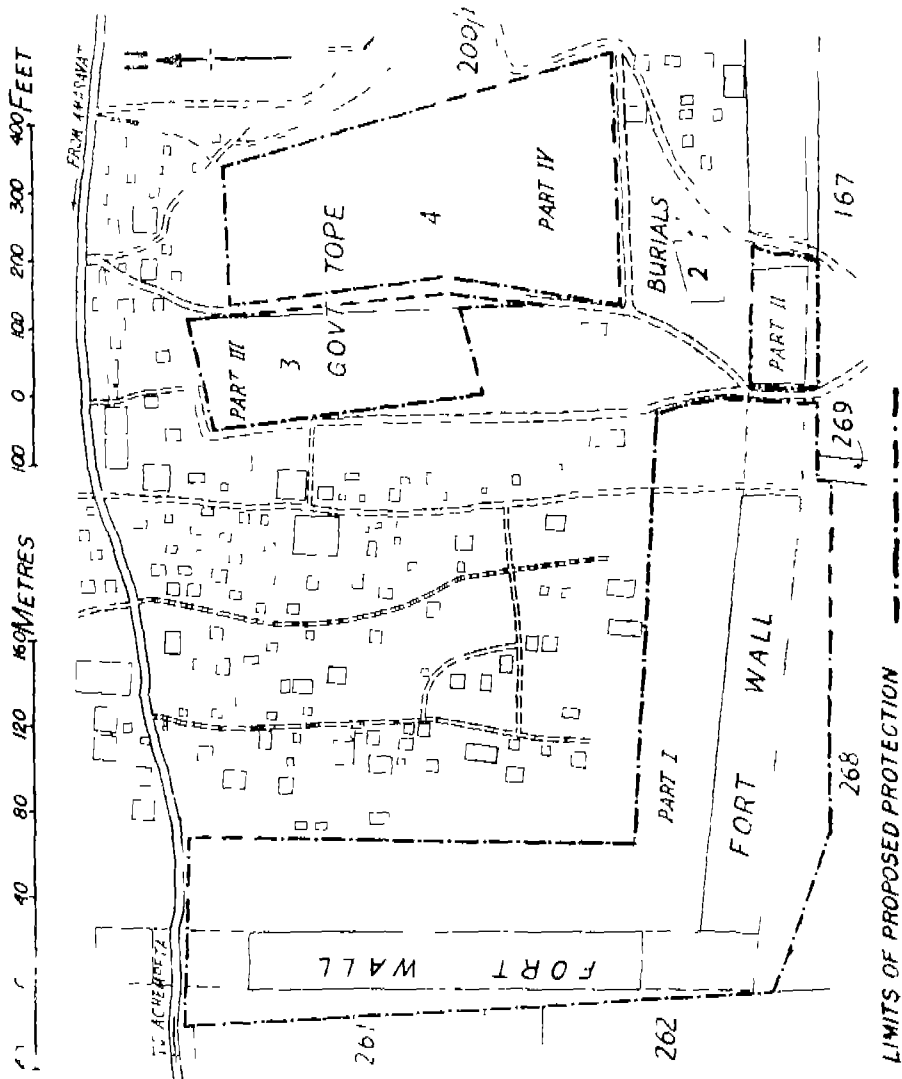
## THE SCHEDULE

Sl. No.	State	District	Tahsil	Locality	Name of monument	Revenue plot Numbers to be included under protection.	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Andhra Pradesh	Guntur	Guntur	Dharanikota	Fort in ruins together with adjacent land comprised in survey plot No. 200/3 and part of survey plot Nos 200/1 and 200/4	Whole of survey plot Nos. 200 3, 200/4, excluding the cart track and part of survey plot No. 200/4 as shown in the plan reproduced below.	17.08 acres	<p><i>Part I</i> (Survey plot No. 200 1)</p> <p><i>North</i> :—Road o Achampeta and remaining portion as survey plot No. 200 1 (habitation area)</p> <p><i>East</i> :—Remaining portion of survey plot No. 200 1 (habitation area and cart track).</p> <p><i>South</i> :—Survey plot Nos. 268, 269 and 167.</p> <p><i>West</i> :—Survey plot Nos. 261 and 262.</p> <p><i>Part II</i> (Survey plot No. 200/1)</p> <p><i>North</i> :—Remaining portion of survey plot No. 200 1</p> <p><i>East</i> :—Remaining portion of survey plot No. 200/1 (cart track)</p>	Government	



South —Survey  
plot No 167  
West —Remain-  
ing portion  
of survey plot  
No. 200 (cart track)  
Part III —Survey  
Plot No 200 1  
North —Survey  
plot No 200 1  
(habitation area)  
East —Survey  
plot Nos. 200 4  
(cart track) and  
200 1.  
South —Survey  
plot No. 200/1  
West —Survey  
plot No 200 1  
(cart track)  
Part IV —Sur-  
vey plot No  
200 4  
North —Survey  
plot No 200/1  
(habitation area)  
East —Survey  
plot No 200 1  
(habitation area)  
South —Survey  
plot No 200 1  
(cart track)  
West —Survey  
plot Nos 200 1  
200'3.

# SITE PLAN OF FORT AT DHARANIKULI



[No. F. 4/21/66-CAI(I).]  
SHARDA RAO (Mrs.),  
Assistant Educational Adviser,

**DELHI DEVELOPMENT AUTHORITY**

**PUBLIC NOTICE**

*New Delhi, the 19th May 1967*

**S.O. 1814.**—Notice under Section 10(1) of the Delhi Development Act, 1957 (No. 61 of 1957) read with rules 5 and 15 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959.

Notice is hereby given that

1. (a) a draft of the zonal development plan for each of the following zones, namely:—

- (i) D-8 (India Gate)  
D-9 (Central Secretariat);
- (ii) E-1 (Krishan Nagar-Shahdara);
- (iii) E-3 (Rohtas Nagar)  
E-5 (Sakdarpur);
- (iv) F-5 (Rama Krishna Puram); and
- (v) G-9 (Tatarpur)

has been prepared; and

(b) a copy thereof will be available for inspection at the following offices between the hours of 11-00 A.M. and 3-00 P.M. on all working days except Saturdays, till the date mentioned in paragraph 3 hereinafter:—

- (1) Office of the Delhi Development Authority, Delhi Vikas Bhawan, I P. Estate, New Delhi.
- (2) Office of the New Delhi Municipal Committee, Town Hall, New Delhi.
- (3) Office of the Municipal Corporation of Delhi, Town Hall, Delhi-6; and
- (4) Office of the Executive Officer, Delhi Cantonment Board, Delhi Cantt.

2. Objections and suggestions are hereby invited with respect to these draft zonal development plans.

3. Objections or suggestions may be sent in writing to the Secretary, Delhi Development Authority, Delhi Vikas Bhawan, I.P. Estate, New Delhi by the 26th June, 1967.

Any person making an objection or suggestion should also give his name and address

[No. F. 4(13)/67-M.P.]

**B. C. SARKAR,**

Addl Secy., Delhi Development Authority.

**MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION**

(Department of Labour and Employment)

*New Delhi, the 16th May 1967*

**S.O. 1815.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Central Industrial Tribunal-cum-Labour Court, Jabalpur in the matter of applications under Section 33A of the said Act from Brindawan Badgalyyan, c/o Ramdhar Nigam, General Secretary, Chuna Mazdoor Sangh, Post Office Maihar, District Satna (Madhya Pradesh) which was received by the Central Government on the 4th May, 1967.

**BEFORE THE CENTRAL INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
JABALPUR**

*Dated April 27, 1967*

**PRESENT:**

Sri G. C. Agarwala—Presiding Officer

CASE No. CGIT/LC(8) 67 [U/s 33-A (JABALPUR)]

CASE No. CGIT-(13)/65 [(U/s 33-A (BOMBAY)]

[Arising out of Reference No. CGIT-47/62 & 39/63 (Bombay)]

**PARTIES:**

Brindawan Badgaiyyan, C/o Ramdhar Nigam, Gen. Secretary Chuna Mar-  
door Sangh, P.O. Malhar, Distt. Satna, M.P.—*Applicant.*

*Versus*

M/s Jiwanmal Sons Private Ltd., P.O. Malhar, Distt. Satna, M.P.—*Opp  
Party.*

**APPEARANCES:**

*For the Applicant*—Sri Brindawan Badgaiyyan Applicant

*For the Opp. Party*—Sri L. P. Vaish.

**INDUSTRY:** Lime Stone

**DISTRICT:** Satna (M.P.)

**AWARD**

The applicant, Brindawan Badgaiyyan, filed an application on 6th February 1965 under Sec.-33-A I.D. Act, against the opposite party, M/s Jiwanmal Sons Private Ltd., P.O. Malhar, Distt. Satna, before the Central Government, Industrial Tribunal, Bombay. It was registered by that Tribunal as Case No. 13 of 1965. It was alleged that his services had been terminated with effect from 13th January 1965 and the conduct of the employers amounted to victimization. Proceeding remained pending before the said Tribunal upto 5th November 1966 whereafter it was transferred to this Tribunal by Notification No. 1/67/LRI(ii), dated 8th March, 1967. It was alleged in the application that during the pendency of references CGIT-47/62 and CGIT-39/63 the employers terminated the services without complying with the provisions of Sec. 33 I.D. Act and that he was a workman concerned in the dispute. The opposite party had filed a reply before the Bombay Tribunal.

The case came up for first hearing before me on 31st March 1967. The applicant Brindawan Badgaiyyan, took an adjournment and the case was then adjourned to 24th April, 1967 on payment of Rs. 10/- as costs. On this date both parties appeared. Brindawan Badgaiyyan, the applicant, filed an application stating that he has compromised the dispute with the employers, the opposite party, and he did not want to prosecute the case. The contents of the application were verified before me. The representative of the opposite party has signed the application and confirmed the fact of a settlement. That being so, the application is dismissed holding that there had been no contravention of Sec. 33 I.D. Act. Since, however, the order amounts to an award it is being submitted to the appropriate Government under the provisions of Sec. 33-A of the I.D. Act.

Sd/- G. C. AGARWALA,

Presiding Officer

[No. 35/6/67-LR-I.]

**S O. 1816.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2 Calcutta, in the industrial dispute between the employers in relation to the Bhadrasai Manganese Mine of Messrs Orissa Minerals Development Company Limited Barbil and their workmen which was received by the Central Government on the 4th May, 1967.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA**

**PARTIES:**

Employers in relation to the Bhadrasai Manganese Mine

AND

Their workmen

PRESENT:

Shri S. K. Sen -Presiding Officer.

APPEARANCES:

On behalf of Employers—Shri S. C. Sen, Advocate.

On behalf of Workmen—Shri R. Banerjee, Advocate.

STATE, Orissa

INDUSTRY: Manganese Mine

## AWARD

By Order No 26/26/65-L.R.I dated 23rd June 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Bhadrasai Manganese Mine of Messrs Orissa Minerals Development Company Limited, Barbil and their workmen in respect of the subject matter mentioned in the following schedule:

"(i) Whether demand of the workmen employed in Bhadrasai Manganese Mine of Messrs Orissa Minerals Development Company Limited (Post Office Barbil, Dist. Keonjhar, Orissa) for increase of their existing wages is justified? If so, to what relief are they entitled and from what date?

(ii) Whether the strike by the workmen employed in the said mine from the 11th March, 1965 to the date of its cessation is legal and justified? If so, to what relief, if any, are the workmen entitled?"

2. The Orissa Minerals Development Company Limited which has its central office at Naldah, about 4 miles from Barbil, and Head office at Calcutta is the owner of 8 iron ore mines and 4 manganese mines including the Bhadrasai Manganese Mine in the neighbourhood of Barbil in Orissa. The total number of their workmen is about 1400 of whom 600 are employed at Bhadrasai Manganese Mine. In addition to the 600 workers employed direct under the company, there are other workmen at Bhadrasai Manganese Mine employed under contractors working under the company. In this reference case however we are not concerned with the contract labour. The company has one share capital and treats all the 7 mines as one unit for purposes of finance and management; and one consolidated annual report, balance sheet and profit and loss account is submitted yearly to the shareholders. For internal use, the managing agents at the Calcutta office maintain separate accounts for the iron ore section and the manganese section but separate accounts for individual mines are not kept. Each mine however has got its own mine office under the control of the manager and other necessary officers and staff and the necessary complement of labour for working the mine. One union named Barbil Workers union affiliated to INTUC has units at all the 7 mines of the company and is recognised by the management. The Keonjhar Mines & Forest Workers Union which is affiliated to the AITUC was established comparatively recently. A large number of the miners particularly the piece rated workers of Bhadrasai manganese mine joined the unit of that union established at Bhadrasai. According to the claim of the Secretary of the union as many as 405 out of 600 workers at Bhadrasai manganese mine were in 1965 members of the Keonjhar Mines & Forest Workers Union.

3. On 21st December 1959 before the Regional Labour Commissioner, Central, Dhanbad the company and the workmen represented by the Barbil Workers Union entered into a settlement and a memorandum of settlement was drawn up and signed by the representatives of the company and the workmen represented by the Barbil Workers Union and was also attested by the R.L.C., Central, Dhanbad. The rates of wages of various categories of workers both of the iron ore mines and the manganese mines were settled and embodied in the memorandum of settlement. The terms as to bonus were also settled and embodied in the memorandum. There was agreement about other conditions of service which were also included in the memorandum of settlement.

4. The Central Wage Board for Iron Ore Mining Industry made recommendations for grant of an interim wage increase to the workmen of Iron ore mines in November 1963. Some anomalies having been pointed out, the Wage Board submitted revised recommendations and these were accepted by the Government by a resolution dated 3rd September, 1964, a copy of which has been produced on behalf of the workmen and marked as Ex. 1. For the lowest paid category of workmen drawing upto Rs. 2/- per day or Rs. 52/- per month the recommendation of the Wage Board was that wages should be increased to Rs. 2.50 per day or Rs. 65/- per month. By the resolution the Government requested the concerned employers to implement the recommendations expeditiously. The Orissa Minerals

Development Company Limited gave effect to the recommendations in their iron ore mines. By the agreement of 21st December 1959 the same scale of pay had been fixed for the time rated workers both for iron ore mines and the manganese mines, and for the piece rated workers also approximately equal rates had been fixed. The implementation of the interim recommendation of the Wage Board for Iron Ore Mining Industry resulted in the manganese mine workers getting less than the iron ore mine workers. A dispute was raised not generally for all the manganese mines by the Barbil Workers Union, but for the Bhadrasai mine only by the Keonjhar Mines & Forest Workers Union. This union wrote certain letters to the agent, Orissa Minerals Development Company Limited, Nalda stating that unless the interim award of the Central Wage Board for the Iron Ore Mining Industry was implemented in respect of the company's manganese mine section also, the workmen would go on strike. The company did not take notice of these letters, and a strike was actually declared at Bhadrasai manganese mine with effect from 11th March 1965. The Conciliation Officer, Central, Jharsaguda, attempted to settle the matter and proceeded to Barbil where he met the representatives of the union as well as the management, though they did not sit together; but the attempt at conciliation ended in failure. Ultimately at the intervention of the Addl. Secretary to the Govt. of India, Ministry of Labour and Employment who asked the top leaders of the AITUC to intervene to stop the strike saying that the Conciliation Officer's report was under the active consideration of the Government and that in the circumstances continuance of the strike would be prejudicial to the code of discipline and Industrial Truce Resolution, the strike was withdrawn by the leaders of the Keonjhar Mines & Forest Workers Union, Barbil with effect from 6th May, 1965. The strike lasted from 11th March 1965 to 5th May 1965.

5 The Government thereafter referred the matter to adjudication by the order dated 23rd June, 1966.

6 The case of the union on behalf of the workmen is briefly as follows:

The Bhadrasai Manganese Mine of Orissa Minerals Development Company Limited is one of the biggest manganese mines of the country and the company which owns not only the Bhadrasai Manganese Mine but several other manganese mines and iron ore mines is earning large profits, but the wages paid to the workers are very low; and that further there has been considerable rise in the cost of living between 1960 when the existing scale of wages was agreed to and 1965, and that the union had therefore terminated the agreement dated 21st December 1959 by a letter dated 8th December 1964; and that thereafter the union demanded the implementation of the wage rise as recommended for the iron ore mine workers by the Wage Board, but the company paid no attention to the demands, and therefore the union was forced to declare a strike which was conducted peacefully and which was withdrawn when the Government agreed to refer the dispute to adjudication. According to the union, the strike was legal and justified and therefore the workers should be paid full wages for the strike period, and they should be paid increased wages according to the charter of demands submitted by the union, i.e. more or less on the scale awarded to the iron ore mine workers on the basis of the interim recommendations of the Wage Board for the Iron Ore Mining Industry.

7 The case of the management is briefly as follows:

The tripartite agreement dated 21st December 1959 which was arrived at between the workmen represented by the Barbil Workers Union and the management in the presence of the R.J.C., Central, Dhanbad is still binding and has not been terminated by any written notice under Section 19(2) of the Industrial Disputes Act, and therefore not only was the strike illegal but the reference is also incompetent, because the scale of wages as agreed on 21st December 1959 is still binding on the parties and no valid industrial dispute can be raised while it is still in force and binding. Without prejudice to this preliminary objection, the management urges that the company has to depend largely on the export market for manganese, whereas for the iron ore there is an internal market, and because the company has to sell the manganese at the competitive international price, the company has been making very little profit on their manganese section and is not in a position to pay extra wages to the manganese mine workers; and that the scale of wages fixed by the agreement dated 21st December 1959 is a just and fair scale and would stand the test of the industry-cum-region principle, because the company is paying more wages to their manganese mine workers than any other manganese mine owner in the neighbourhood except the Tata Iron and Steel Company Limited which is in a vastly superior financial position. As regards the claim on account of rise in the cost of living index the management's case is that they supply rice at a subsidised price not only for the workmen but for their dependants in accordance with an agreement with the Barbil Workers Union, and therefore the rise of

cost of living index so far as the workmen are concerned is being off-set, the company bearing the loss resulting from the sharp rise in the price of rice between 1960 and the present day.

8. On behalf of the management, Shri S. C. Sen, has urged two preliminary objections. The first objection is that the Keonjhar Mines and Forest Workers Union made the demand for implementation of the interim recommendations of the Central Wage Board for Iron Ore Mining Industry and went on strike on the basis of that demand, and that in the circumstances, the Government is not justified in referring the question relating to increase of the existing wages of the workers of Bhadrabal manganese mine instead of the question of implementation of the Wage Board's recommendation. The three letters giving strike notice are Exts. C, C1 and C2. Ext. C dated 11th October, 1964, stated that the workmen would resort to a protest strike for one day on the 1st November, 1964 unless the company implemented the interim wage recommendation of the Central Wage Board for Iron Ore Mining Industries in the manganese mine section; and also implemented the recommendation of the Bonus Commission and paid Puja bonus. As regards the claim for bonus, the workmen represented by the Barbil Workers Union entered into a tripartite settlement with the management on 1st November 1965; a true copy of the memorandum of that agreement is Ext. J, and all the workmen of the mines under the control of the Orissa Minerals Development Company Limited have accepted that agreement and thus the dispute so far as bonus is concerned was fully resolved. We are not concerned with the question of bonus in this case but with the demand for extra wages made initially in the form of the demand for implementing the interim wage recommendation of the Central Wage Board for Iron Ore Mining Industry in the company's manganese mine section. Ext. C1 dated 14th January 1965 again demanded the implementation of the interim wage recommendations of the Central Wage Board for Iron Ore Mining Industry, stating that unless this was done by 31st January, 1965, the union would resort to direct action. Ext. C2 dated 9th March, 1965 stated that as the company had failed to implement the interim wage recommendations of the Central Wage Board for Iron Ore Mining Industry in their manganese mines, the workmen would go on strike indefinitely with effect from 11th March, 1965. A charter of demands without reference to the interim wage recommendations of the Central Wage Board for Iron Ore Mining Industry was presented for the first time during the progress of the conciliation proceedings. A copy of the charter of demands is Ext. 9. It is dated 17th March, 1965 but the evidence of Shri N. S. Claire, Superintendent of Mines with his central office at Nalda is that when during the conciliation proceedings at Barbil on 21st, 22nd and 23rd March, 1965 he pointed out that interim wage recommendation in respect of iron ore mines could not be applicable to the workmen of the manganese mine, the union altered the mode of demand and submitted a charter of demands claiming a general rise in the wages although to the same extent as recommended for the iron ore workers by the interim recommendations of the Central Wage Board for Iron Ore Mining Industry. The evidence of Shri S. Daya, Senior Personnel Officer of the company is that this charter of demands was received on 22nd March 1965 although it is dated 17th March 1965, and that before 22nd March no such charter of demands was received from Keonjhar Mines and Forest Workers Union. The first preliminary objection of Shri S. C. Sen is based on this fact. He has argued that all along before the strike, the union was demanding the implementation of the interim wage recommendation of the Central Wage Board for Iron Ore Mining Industry, and it was only during the conciliation proceedings after the anomaly had been pointed out by the representatives of the management that the union altered its stand and submitted a charter of demands for rise in wages, and that in the circumstances the Government should have held the union bound to the demand for implementation of the interim wage recommendation of the Central Wage Board. Shri S. C. Sen's idea of course is that if that question had been referred to the tribunal, the tribunal would have been bound to give an answer favourable to the company, because the recommendations in respect of the iron ore mine workers could not in terms be applicable to the manganese mine workers. But in the course of the conciliation proceedings, the true nature of the demand was thrashed out, and in the report submitted by the Conciliation Officer on 15th April 1965 to the Government, Ext. L, he pointed out that the union wanted the question as to wage rise in general to be included in the terms of reference and not the question as to the implementation of the interim recommendation of the Central Wage Board for Iron Ore Mining Industry. The Government was competent on the basis of the report to refer the general question of wage increase to the tribunal instead of referring the original demand of implementation of the interim recommendation of the iron ore mining industry Wage Board. I hold therefore that there is no substance in the first preliminary objection raised by Sri S. C. Sen.

9. The second preliminary objection is of more importance. It is that the agreement of 21st December 1959 entered into in course of conciliation proceedings before the Regional Labour Commissioner, Central, Dhanbad is still in force and binding, as it has never been validly terminated by a written notice under Sec. 19(2) of the Industrial Disputes Act. Sec. 19(1) states that a settlement shall come into operation on such date as is agreed upon by the parties to the dispute, and if no date is agreed upon, on the date on which the memorandum of settlement is signed by the parties. Sec. 19(2) provides that such settlement shall be binding for such period as is agreed upon by the parties or for the period of 6 months, and shall continue to be binding after the expiry of the aforesaid period until the expiry of 2 months from the date on which a notice in writing of an intention to terminate the settlement is given by one of the parties to the other party or parties to the settlement. It has been held that an express written notice terminating the agreement is necessary and it is not enough that a charter of demands or a similar communication should be submitted from which the intention to terminate the agreement may be implied. This was the view taken in the case of *Workmen of Continental Commercial Company Limited* (1962 1 LLJ 85) and also *Workmen of Western India Match Company V. Western India Match Company* (1962 1 LLJ 661). In both the cases however it was held that the notice can be waived by the party who was entitled to the notice. I shall deal more fully with this question of waiver in due course.

10. Shri Sen has urged that in the present case the management took the objection during the conciliation proceedings that the agreement of 21st December 1959 was still in force and had not been terminated by any written notice under Sec. 19(2) of the Industrial Disputes Act. The union claimed that a notice of termination dated 8th December 1964 had been given by it. On this point there is deposition of Shri H. Behera, General Secretary of the Keonjhar Mines & Forest Workers Union, who stated that he sent a notice dated 8th December 1964 to the company terminating the agreement of 1959; and he produced the office copy of the notice, Ext. 2, bearing his signature. He said that he had posted the letter himself under certificate of posting and produced the certificate of posting form, Ext. 2(a), showing the posting of 2 letters, one to the Agent, Messrs B. Patnaik Mines and one to the Agent of Messrs Orissa Minerals Development Company Limited. The company has strenuously denied the receipt of such a notice until a copy was received from the Conciliation Officer on 2nd or 3rd April 1965 with the letter, Ext. H dated 1st April 1965 of the Conciliation Officer. It was suggested to Shri D. Mohanty, President of the Union that the copy of the notice, Ext. 2 and the certificate of posting, Ext. 2(a) were both fabricated after the discussion with the Conciliation Officer on 21st and 23rd March 1965 at Barbil. This suggestion was denied, but Shri Sen has urged certain circumstances in support of his contention that the notice was not really issued on 8th December 1964 but was subsequently fabricated. He has pointed out that in the certificate of posting form, Ext. 2(a), there is no postal seal against the description of the second letter, i.e. the letter addressed to the Orissa Minerals Development Company Limited. If more than one letter is posted under one certificate of posting, there must be a separate date stamp impressed against the description of each one of the letters. Instruction No. 7 on the back of the form provides that the sender should insist on having the date stamp of the post office impressed against the entry of each letter in the form. The company has also produced 2 certificates of posting from their Calcutta Office, Ext. 6 and 51, showing that the postal date stamp was put against each of the entries when there were several letters posted together under one certificate. The absence of a date stamp against the description of the letter to the Orissa Minerals Development Company, is however not conclusive, because it may be that the postal clerk omitted to put a date stamp against each of the entries, and the sender was not alert enough to insist that a separate date stamp should be put against each of the entries. Shri Sen has next urged that it appears from the letters of Shri Sharan, Conciliation Officer of Jharsaguda who held discussions with the parties at Barbil between 21st and 23rd March 1965, that no such notice terminating the agreement of 1959 was then mentioned by the union representatives to him. The letters in question are Ext. N dated 22nd March 1965 from the Conciliation Officer to the R.L.C., Calcutta and Ext. M dated 24th March 1965 from the Conciliation Officer, Jharsaguda to the President and the Secretary of the Keonjhar Mines & Forest Workers Union. Ext. N dated 22nd March 1965 is a report about the strike not only in the Bhadrasai mine but in other mines in the neighbourhood. The strike in the Bhadrasai manganese mine is dealt with in the second page of the letter. Therein the Conciliation Officer stated that the Superintendent of the company had told him that the strike in the Bhadrasai manganese mine was illegal because it had commenced during the operation of the settlement dated 21st December 1959 and neither party had given notice in writing relating to the intention to terminate



the settlement. The Conciliation Officer expressed the opinion that in the circumstances, the strike by the workmen in Bhadrasai manganese mine was in contravention of clause (c) of Sec. 23 of the Industrial Disputes Act and therefore illegal; he said that on 21st March 1965 he pointed out the aforesaid position to the General Secretary of the Keonjhar Mines & Forest Workers Union and requested him to call off the strike, but the General Secretary did not agree; but that after prolonged discussion he agreed to call off the strike if the management and the Barbil Workers Union agreed to make a joint application to the tribunal; that the General Secretary of the Barbil Workers Union, with whom also the Conciliation Officer had discussion, agreed to the suggestion, but the Superintendent of the company did not agree to make a joint representation. It appears from this letter that in spite of the prolonged discussion which he had with the General Secretary of the Union, he was not told that notice terminating the agreement of 1959 had already been given. In the letter, Ext. M addressed to the President and the Secretary of the Keonjhar Mines and Forest Workers Union, the Conciliation Officer stated as follows. "In continuation of my discussion with you on 22nd March 1965 and 23rd March 1965 I have to confirm that the memorandum of settlement dated 21st December 1959 between the Orissa Minerals Development Company Limited and their workmen represented by Barbil Workers Union arrived at during conciliation proceedings held by the Regional Labour Commissioner, Central, Dhanbad is still binding on both parties. Hence the instant strike by the workmen of Bhadrasai manganese mine at your instance is in contravention of clause (c) of Section 23 of the I.D. Act..." It appears that in reply to this letter which was written by the Conciliation Officer from Barbil camp and handed over personally, Shri D. Mohanty, President of the Keonjhar Mines & Forest Workers Union wrote a letter from Cuttack on 27th March 1965. The original letter dated 27th March 1965 was produced by Shri Roy Chowdhury, Labour Enforcement Officer, Jharsaguda who was summoned to produce the relevant correspondence file from the Conciliation Officer's office at Jharsaguda, and the letter, Ext. O, was admitted by Shri D. Mohanty who deposed as witness No. 1 for the workmen. In this letter Shri Mohanty acknowledged the letter of Conciliation Officer dated 24th March, 1965 and stated as follows. "We intimated you in our discussion with you on 23rd and 24th March 1965 about our terminating the conciliation agreement dated 21st December 1959 between Messrs Orissa Minerals Development Company Limited and their workmen represented by Barbil Workers Union and promised to furnish you the copy of the letter, on my return to Cuttack. I came back to-day and I am sending herewith relevant letter". Shri Mohanty went on to request the Conciliation Officer to prevail upon the management to agree to the demand of the workers and thus enable him to call off the strike. A copy of the supposed letter of 8th December 1964 was enclosed with the letter. The Conciliation Officer by his letter dated 1st April 1965, Ext. H, sent a copy of this copy of the notice dated 8th December 1964 to the Superintendent of the Company at Barbil. The copy of the notice sent along with that letter has been marked Ext. H1. The company admitted having received this letter and a copy of the supposed notice dated 8th December 1964 along with it. By the letter, Ext. H, the Conciliation Officer asked the Superintendent of the Company to offer his comments on the representation made by the President of the union and the copy of the notice sent by him, and added that if the Superintendent still thought that the strike was illegal, the Superintendent might move the Central Government for permission to file a case for starting an illegal strike. It appears from the evidence of the Superintendent, Shri N. S. Claire, in cross-examination that he did not send a reply to this letter of 1st April, 1965 because the Conciliation Officer was expected back at Barbil on the 10th April 1965, and actually the Conciliation Officer came to Barbil on 10th April and there was further discussion on 10th and 12th April 1965 at Barbil. The company also did not take any step to move the Central Government for prosecution of anybody for starting an illegal strike. From this Shri R. Banerjee appearing on behalf of the union has urged that the company's contention that they never received the notice of 8th December 1964 is not correct. But it appears to me clear from the letter, Ext. M and N written by the Conciliation Officer that during the discussions between 21st to 23rd March 1965 at Barbil the President or the General Secretary of the union could not have told the Conciliation Officer of the notice terminating the settlement dated 21st December 1959 otherwise the Conciliation Officer would not have stated in his letters categorically that the strike was illegal for contravention of Clause (c) of Section 23 of the I.D. Act. That being so, the subsequent communication from the President of the Union dated 27th March, 1964 must be regarded with suspicion. In view of all the circumstances, I would hold that the notice dt. 8th December 1964 was not really sent to the company under the certificate of posting, Ext. 2(a), and that the company first received a copy of the notice from the Conciliation Officer, Jharsaguda on 2nd or 3rd April, 1965.

11. That being so it would appear that the strike which was started on 11th March 1965 must be deemed to be illegal for contravention of clause (c) of Sec. 23

of the Industrial Disputes Act. The further question is whether this finding makes the reference as to the scale of wages incompetent. Though the courts have held that Sec. 19(2) of the I.D. Act contemplates a written notice stating expressly the intention to terminate the settlement, the courts have not generally taken the view that without such a notice the reference is always incompetent. It has been held that the notice can be waived, and in many cases the conduct of the management has been taken as waiver of the notice. In the Calcutta High Court case cited before 1962 I LLJ 85, where because of want of notice under Sec. 19(2) of the Act the tribunal had refused to adjudicate on the demands as to the pay scale, dearness allowance and sick leave on the ground that the terms embodied in the settlement of 19th July 1949 were still in force, the High Court held that though the charter of demands did not amount to a written notice under Sec. 19(2), the notice must be deemed to have been waived as the management took part in the conciliation proceedings and never took the objection in the course of the conciliation proceedings that the old settlement was still binding. Similarly, the Supreme Court in the case 1962 I LLJ 661 held that the notice should be deemed to have been given, because the company had joined the Union in making an application for reference of the dispute for adjudication, and further when the company on receiving the charter of demands had informed the union that the previous agreement was still in force, the union Secretary replied in writing that the charter of demands and other representations made must be taken as equivalent to the notice of termination of the settlement. It would appear therefore that the courts do not want that an adjudication should fall on a preliminary ground unless of course there are strong and convincing reasons for such failure. In the present cases the workers in the manganese mines certainly have a grievance because originally the manganese mine workers and the iron ore mine workers of the company received the same scale of wages as settled by the agreement of 21st December 1959, but at the end of 1964 or beginning of 1965 the company gave effect to the interim recommendations of the Central Wage Board for Iron Ore Mining Industry and increased the wages of the iron ore mine workers, while the wages of the manganese mine workers remained the same. Moreover, the President and the Secretary of the union gave evidence that there has been rise in the wages of the manganese mine workers in some adjacent mines like Messrs B. Patnail & Co.'s mine and the Tata Iron & Steel Company's mines. There has also been a marked rise in the cost of living which is only partially neutralised by the supply of rice at a subsidised rate by the company. In the circumstances, if the dispute as to the increase of the existing wages of the manganese mine workers remains unresolved because of a technical defect, this would mean continuation of the dispute for a further period which would not be to the interest of the industry.

12 Shri Sen has urged that the provisions of Section 19(2) of the Act are mandatory and therefore if a proper notice was not given terminating the settlement the agreement as to the scale of wages must be deemed to be still in force, and therefore the claim as to increase in wages cannot be adjudicated whatever the result may be to industrial peace. Shri Sen has also pointed out that the representative of the company wanted to avoid the plea of waiver of the notice and refused to sign a joint application for reference of the dispute to adjudication. But it appears from the evidence of Shri D. Mohanty in cross examination that the management was willing to refer the dispute to arbitration and the union was also agreeable though no reference to arbitration could be made because Shri Mohanty insisted that a joint agreement referring the case to arbitration should first be signed whereas the company wanted that the strike should first be withdrawn. It would appear from this that if the strike was withdrawn the management would be willing at that stage to sign a joint agreement for arbitration, because unless a joint agreement was signed there could be no reference to arbitration. The management's witnesses did not contradict the evidence of Shri Mohanty on this point. The evidence of Shri Mohanty finds support from the failure report of the Conciliation Officer, Ext. I, where towards the end, it is mentioned that the union and the management agreed that reference be made to the Chief Labour Commissioner, Central, New Delhi as arbitrator, but no reference could be made to arbitration because the parties did not agree as to the terms of reference; and further that the management said that the management would agree to make the reference provided the union first called off the strike, while the General Secretary of the union stated that the strike could be called off only after the arbitration agreement was signed. In view of the fact that the management was conditionally willing to sign a joint agreement for referring the dispute to arbitration, it may be held that the management waived the notice as to termination of the agreement. Shri Sen has urged that it was necessary that notice should be given to the other union also because they were parties to the agreement; but so far as the other union is concerned namely Baril Workers Union, it appears from the Conciliation Officer's

letter, Ext. N dated 22nd March 1965 that they were willing to refer the dispute jointly to adjudication; and moreover the Barbil Workers Union filed a written statement in the present reference case supporting the claim for an increased scale of wages, although the union did not appear at the hearing. Thus the Barbil workers union must be taken to have waived the notice.

10. Shri R. Banerjee argued that since the agreement of 21st December 1959, as regards the scale of wages had been departed from by the management so far as the iron ore workers are concerned it may be held that the agreement is no longer subsisting even in respect of manganese mine workers. I cannot however accept this contention. Giving increased wages to iron ore workers might cause heart burning to the manganese mine workers but that fact alone cannot automatically terminate the agreement so far as manganese mine workers are concerned. The agreement must be terminated by a notice, but the notice may be waived as already stated, and in the present case I must hold that so far as the dispute as to the increase of wages is concerned, the notice was waived by the company as well as by the other union.

11. Moreover the company ultimately received a copy of the notice expressing the union's intention to terminate the agreement, although the notice was not received direct from the union but through the Conciliation Officer. I refer to the copy of the notice, Ext. H1, which was received by the company along with the Conciliation Officer's letter, Ext. H dated 1st April 1965. Since this notice was received on the 2nd or 3rd of April 1965 it cannot serve to legalise the strike but, it must be held to serve as a notice of the intention to terminate the agreement so as to make it possible to raise a dispute for increase of wages of the manganese mine workers even though I have held that the notice was not sent when it purported to be sent, but was subsequently prepared with a back date. I therefore over-rule the second preliminary objection also.

12. In view of my finding made above, the second question referred for adjudication can be shortly disposed of. It is clear that the strike of workmen employed under the Bhadrasai Manganese Mine from the 11th March, 1965 up to and including 5th May 1965 was not legal because the strike had been resorted to before the termination of the agreement dated 21st December 1959. Therefore the strike was also not justified; as the Supreme Court held in the case, *Indian General Navigation and Railways Company Limited V Their Workmen* (1960 1 LLJ 13), a strike which is illegal cannot at the same time be held to be justified. The workmen therefore are not entitled to any wages during the strike period.

13. As regards the first question relating to the increase of the existing wages, it should be stated that the Keonjhar Mines & Forest Workers Union has not produced any evidence as to the monthly paid workers and the weekly paid hazzar workers. They have confined their evidence and arguments to the piece-rated workers who do the mining and dressing of the manganese ore and therefore the adjudication on this point will have to be confined to such piece rated workers only. Shri Behera Secretary of the Union stated that he collected information as to the present rate of remuneration paid to the piece rated workers of adjoining mine, and he prepared a chart, Ext. 6, on the basis of the information obtained by him. The figures in this comparative chart, Ext. 6, have been challenged on behalf of the management on the ground that Shri Behera admitted that he had not the opportunity of verifying the information which he obtained from the workmen by referring to the management as the management did not recognise his union. Shri S. Dayal Senior Personnel Officer of the company, also compiled a table of comparative rates of remuneration of the piece rated workers, Ext. R2. Shri Dayal stated that he took the information by visiting the respective mines and talking with the manager or the Personnel Officer of the mine concerned. The two charts, Ext. 6 and Ext. R2, may be accepted so far as they agree. The Orissa Minerals Development Company is paying Rs. 2.25 per box of 36 Cft. of ore plus a bonus of 25 nP, thereon and Rs. 25 p. per 100 Cft. of excavation work with certain addition for lift i.e. where the earth excavated has to be lifted by more than 20'. The rate for lift from 20' to 30' is 81 nP per 100 Cft. from 31' to 40', Rs. 1.14 per 100 Cft. and 41' to 50' Rs. 1.46 per 100 Cft. For dressing the rate is Rs. 3.37 per box of ore dressed plus a production bonus of 25 nP per box. So far as TISCO is concerned, the company's witnesses have admitted that they are paying more than the Orissa Minerals Development Company. As to their rate for lump ore the highest rate is Rs. 3.74 per box of 36 Cft. As to this figure both the charts, Ext. 6 and Ext. R2 agree. The chart R2 shows another rate for lump ore paid by TISCO at

Rs. 3.22 per box. This rate is not shown in Ext. 6. For fine ore the rate mentioned in Ext. R2 is Rs. 2.39 per box whereas the rate given in Ext. 6 is Rs. 2.80. For excavation for 100 Cft. the rate of TISCO is Rs. 3.09 with a provision for lead and lift payment. About this figure, both the charts agree. So far as Messrs B. Patnaik and Co.'s manganese mines are concerned, the rates shown in Ext. R2 are Rs. 3.76 for lump ore and Rs. 3.20 for fine ore. The chart Ext. 6 give the rates of Rs. 3.76 for lump ore and Rs. 3.24 for fine ore. The rate for excavation Rs. 2/- for 100 Cft., is the same in both the charts. For Messrs M. L. Rungta, the rate for lump ore is given in Ext. R2 as Rs. 2.50 and for fine ore Rs. 2/- per box. But in Ext. 6, Messrs M. L. Rungta Company is not mentioned. On the other hand, Ext. 6 mentions another company, M. S. Dev and their rates are higher being Rs. 3.48 for lump ore and Rs. 4/- for fine ore per box and the rates for excavation are also higher being 3.50 for soft soil and Rs. 4/- for hard soil for 100 Cft. These rates may be accepted because these are supported by the measurement slips, Ext. 8 to 8(F). It appears, therefore, that the rates paid by the Orissa Minerals Development Company are not only lower than the rates paid by TISCO for their manganese mines but also lower than the rates paid by M. S. Dev. The rate per box of ore is also lower than that of Messrs B. Patnaik but B. Patnaik's rate for excavation of earth is lower. Further, according to the company's witness, Messrs B. Patnaik & Co. deduct from the volume of earth excavated the volume of undressed ore extracted therefrom i.e. if 36 Cft. of ore are extracted from 100 Cft. of soil excavated, Messrs B. Patnaik pay for one box of lump ore and for 64 Cft. of earth excavation. The union has not admitted that such deduction from the measurement of soil excavated is made by Messrs B. Patnaik. In comparing these rates it should be mentioned that 25 nP per box paid as production bonus by the Orissa Minerals Development Company must be excluded from the rates shown in Ext. R2 because in a bonus dispute case, the company has taken the stand that this production bonus is a substitute for profit sharing bonus and should be abolished when Bonus is paid to the piece rated workers under the Payment of Bonus Act. The evidence of Shri Behera is that from 1st January 1965 the TISCO has given to the manganese mine workers an increase in the minimum wages by 30 paise per day and that Messrs B. Patnaik & Co. has given an increase by 76 paise for every box of manganese ore mined; this statement has not been denied by the management. On a comparison of the rates and in view of the increase granted by some manganese mine owners, I must hold that there is scope for increase in the piece rate paid to manganese mine workers and dressers at Bhadrasai Manganese Mine. Shri Behera has given a chart showing the rise in the cost of living. These charts are Ext. 7 & 7(a) the figures being taken from the Labour Journal published by the Government of India. It appears that on the basis of base year 1960=100, the price level at Barbil was 122 or 123 in the last part of 1965 and this had risen to 164 by August 1966. There is no doubt that there has been a marked rise in the cost of living since 1960, particularly during 1965 and 1966. The company supplies rice at subsidised price to the piece rated workers, the quantity given being about  $3\frac{1}{2}$  seers for the workmen concerned and 2 seers 10 chataks for adult dependants and  $\frac{1}{2}$  of that for minor dependants. This supply of rice at a subsidised price offsets the rise in cost of living to a certain extent but it cannot offset the rise fully. From this point of view also the piece rated workmen are entitled to some rise. For calculating the fair remuneration to the piece rate workers, a chart showing their output week by week for a whole year would be desirable. No such chart has been furnished by either party. They have merely given evidence as to the number of boxes of ores produced by a husband and wife working together as one unit in excavating and extracting ore from the mine. The estimate, however, varies the output being 2 to 5 boxes per week of 6 working days according to Shri Behera as against 4 to 5 boxes per week in 6 working days according to Shri S. Dayal. It would be fair to take the average of 3.5 boxes as produced by a pair of manganese miners in a week of 6 days. On this basis the total earning of a pair of manganese mine workers for a week has been worked out at Rs. 26.67 as follows:

For 3.5 boxes at Rs. 2.25 per box	..	7.875
For 350 Cft. of earth excavated	..	11.375
Food rebate at '23 per day per head	..	2.76
Value of rice concession as shown in the chart Ext. R as in June, 1965	..	4.66
	..	<hr/> 26.67 <hr/>

This represents 2 persons' wages for 6 days. Therefore the wages for one person per day comes to Rs. 2'22. The minimum wages for lowest category of worker has been laid down as Rs. 2.50 per day by the Central Wage Board in connection with 1st interim wage recommendation for Iron Ore mine Industry vide Ext. 1. According to the union's evidence this figure was increased in the second interim wage recommendation made by the Wage Board. The company's witnesses also admitted that as the result of the two interim wage recommendations the iron ore workers had been given rise of 70 paise per day. The evidence of Shri Claire is that by the second interim wage increase the lowest paid worker would get a rise of 30 paise per day. Shri Dayal's evidence is that by the first recommendation of the Wage Board the lowest paid iron ore mine workers got a rise of 40 paise per day. We may however take Rs. 2'50 as minimum wage of the lowest paid workers per day and on that basis there ought to be an addition by 28 paise per day for each worker. The total earning of a pair of miners in a week must rise from Rs. 26'67 to Rs. 30. This can be secured by raising the rate per box of lump ore by 95 paise i.e., from 2'25 to Rs. 3'20. Considering that the TISCO company pays Rs. 3'74 and Rs. 3'22 for each box of lump ore and Messrs M. S. Dev Rs. 3'48 and Messrs B. Patnaik Rs. 3'76 and Rs. 3'20, although other companies may pay less, I do not think that the rate of Rs. 3'20 per box would be too high. This will mean a rise of 70 paise per box if the present rate is taken to include the production bonus of 25 nP. per box.

17. Shri S. C. Sen has argued that the company's capacity to bear the burden has to be considered; and that the manganese mines section has not been showing much profit and has actually shown some loss in recent years. The Accountant of the Managing Agents, Shri Kanailal Mukherjee deposed as MW 4 and he proved the comparative trading result of the manganese section, Ext. T, compiled by him. It shows that the company made a profit of 11 lakh for 1959, but the profit came down to 7 lakhs in 1960 and 2 lakhs in 1961 and in 1962 there was a loss of 1'88 lakh; In 1963 there was a profit of 2'76 lakhs and in 1964 a profit of 2'14 lakhs and in 1965 again a loss of '92 lakh. Shri R. Banerjee has however urged that the profit of the company as a whole and not merely for the manganese section should be considered, and in support of his contention he has referred to the decision of the Orissa High Court, Hindusthan Steel Ltd., V. their workmen of its Refractory department (1965 1 LLJ 253). The Hindusthan Steel Limited having 3 steel plants at Durgapur, Rourkela and Bhilai, used to treat the working of the 3 plants as one unit for purposes of finance and management of the company, and did not take the ground before the Industrial tribunal that the demand of the workmen of a particular unit should be rejected as that unit was incurring loss. The Orissa High Court held that in the circumstances, the company could not be allowed to raise that point before the High Court for the first time and the finding of the industrial tribunal that the financial position of the company as a whole should be considered was correct. Shri Sen has urged that this ruling does not apply because in the present case we are not concerned with plants but with mines, and not with mines of the same description but mines of two different classes, namely Iron ore mines and Manganese mines. Apart from the ruling, however, I agree with the contention of Shri Banerjee; since the company has got only one share capital and prepares one consolidated annual account, balancesheet and profit and loss account, the financial position of the company as a whole should be considered. The balancesheets of company, Ext. A series, show that the company has been making a profit all through and paying substantial dividends although the rate of dividends has fallen from 36 per cent for 1959 to 10 per cent for 1965. Having considered the financial position, I hold that the company is well able to bear the burden of an increase of payment to the piece rated miner by Rs. 0'95 per box of 36 Cft. of lump ore mined.

18. So far as workmen who are engaged in dressing the manganese ore are concerned, the union has not produced any chart showing the comparative rates of other neighbouring manganese mines. The management has included the dressing rates in its chart, Ext. R2. It appears from the chart that in TISCO Ltd., dressing is done by time rated workers and in Messrs B. Patnaik the rate of dressing lump ore is Rs. 3 per box which is lower than that paid by the Orissa Minerals Development Company. In the circumstances, I have no material for ordering an increase in the remuneration of the piece-rated workmen engaged in dressing manganese ore. But I would direct that since production bonus is now to be abolished as the workmen will receive bonus according to Payment of Bonus Act, and since so on production bonus was paid along with the remuneration for dressing each box of ore, the amount should be added to the present rate so that the dressing rate should stand at Rs. 3'62 per box of ore dressed.

19. Next, it has to be considered what date the increase in rate for piece-rated workmen should be given effect, Shri R. Banerjee has urged that it should be given effect from the dates of the reference 23rd June, 1965. It do not however consider that it would be fair to give effect to the whole rise in rates from a date about two years back. The financial position of the company is not very satisfactory or strong at the present time. So far as the production bonus of 25 nP. per box paid to both miners and dressers, this will cease in future, but I think that the amount equal to the production bonus should be added to the mining rates or dressing rates per box, with effect from 1st July, 1965, for the company's financial year starts from the 1st July, each year. As regards the further rise by 70 paise per box in the mining rate, this may be given effect from 1st July, 1966, the beginning of the new current financial year of the Company.

20. My award, therefore, is as follows:

- (i) The demand of the workmen employed in Bhadrasai Manganese Mine of Messrs Orissa Minerals Development Company Limited for increase in the existing wages is justified. For piece-rated miners the rate per box of lump ore is increased from Rs. 2 to Rs. 3.20. No change is made in other heads of remuneration e.g., for excavation, food rebate, etc. For piece-rated workmen dressing lump ore the rate is increased from Rs. 3.37 to Rs. 3.62 per box. For monthly paid workers and weekly paid hazri workers no materials have been produced for settling their fair wages and the question of increase of their wages is, therefore, left open. Piece-rated miners will be paid at Rs. 2.50 per box of lump ore with effect from 1st July, 1965, and at Rs. 3.20 per box of lump ore with effect from 1st July, 1966. Piece-rated dressers will be paid at Rs. 3.62 per box of dressed ore with effect from 1st July, 1965.
- (ii) The strike by the Manganese Mine workers from 11th March, 1965, to the 5th May, 1965, inclusive was not legal and justified. The workmen are not, therefore, entitled to receive wages during the strike period.

No order is made as to costs.

(Sd.) S K SEN.

Presiding Officer.

Dated, 29th April, 1967.

[No. 24/26/65-LR.I.]

New Delhi, the 19th May 1967

S.O. 1817.—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal-cum-Labour Court, Jabalpur in the matter of applications under section 33-A of the said Act from Brindawan Badgaiyan C/o Ramdhar Nigam General Secretary Chuna Mazdoor Sangh, Post Office Maihar District Satna (Madhya Pradesh) which was received by the Central Government on the 4th May, 1967.

# BEFORE THE CENTRAL INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT. JABALPUR

Dated April 27, 1967

PRESENT:

Sri G. C. Agarwal—Presiding Officer.

CASE NO. OGII/I.C(8)/67(U). 33-A (JABALPUR)

CASE NO. OGII—(13)/65(U)/s 33-A (BOMBAY)

(ARISING OUT OF REFERENCE NO. OGII-47/62 & 39/63 (BOMBAY))

PARTIES:

Brindawan Badgaiyan C/o Ramdhar Nigam. Gen. Secretary, Chuna Mazdoor Sangh P. O. Maihar, Distt. Satna, M.P.—Applicant.

VERSUS

M/s Jivanmal Sons Private Ltd. P.O. Maihar, Distt. Satna M.P. Opp. Party.

## APPEARANCES:

*For the Applicant.*—Sri Brindawan Badgaiyyan.

*For the Opp. Party.*—Sri L. P. Vaish.

INDUSTRY: Lime Stone.

DISTRICT: Satna (M.P.)

## AWARD

The applicant, Brindaban Badgaiyyan, filed an application on 6th February, 1965 under Sec. 33-A I.D. Act, against the opposite party, M/s Jiwanmal Sons Private Ltd. P. O. Maihar, Distt. Satna, before the Central Government, Industrial Tribunal, Bombay. It was registered by that Tribunal as Case No. 13 of 1965. It was alleged that his services had been terminated with effect from 13-1-1965 and the conduct of the employers amounted to victimization. Proceeding remained pending before the said Tribunal upto 5th Nov. 1966 whereafter it was transferred to this Tribunal by Notification No. 1/67/LRI(ii), dated 8th March, 1967. It was alleged in the application that during the pendency of references CGIT-47/62 and CGIT-39/63 the employers terminated the services without complying with the provisions of Section 33 I.D. Act and that he was a workman concerned in the dispute. The opposite party had filed a reply before the Bombay Tribunal.

The case came up for first hearing before me on 31st March 1967. The applicant Brindaban Badgaiyyan, took an adjournment and the case was then adjourned to 24th April 1967 on payment of Rs. 10 as costs. On this date both parties appeared. Brindaban Badgaiyyan, the applicant, filed an application stating that he has compromised the dispute with the employers, the opposite party, and he did not want to prosecute the case. The contents of the application were verified before me. The representative of the opposite party has signed the application and confirmed the fact of a settlement. That being so, the application is dismissed holding that there had been no contravention of Sec. 33 I.D. Act. Since, however the order amounts to an award it is being submitted to the appropriate Government under the provisions of Section 33-A of the I.D. Act.

(Sd.) G. C. AGARWALA, Presiding Officer

[No. 35/6/67-LRI]

**S.O. 1818.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Industrial Tribunal-Cum-Labour Court, Jabalpur, in the matter of an application under section 33A of the said Act from Rammillan, C/o Shri Ramadhar Nigam, General Secretary, Chuna Mazdoor Sangh, Post Office Maihar, District Satna Madhya Pradesh, which was received by the Central Government on the 12th May, 1967.

BEFORE THE CENTRAL INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT  
JABALPUR

*Dated May 9, 1967.*

## PRESENT:

Sri G. C. Agarwala—*Presiding Officer.*

CASE No. CGIT/LC(6)/67 (JABALPUR)/CGIT-11/65 (BOMBAY)

*Under Section 33-A I.D. Act.*

(Arising out of Case Reference No. CGIT-47/62 & CGIT-39/63, Bombay)

## PARTIES:

Rammillan, C/o Shri Ramadhar Nigam, General Secretary, Chuna Mazdoor Sangh, P. O. Maihar, Distt. Satna, M.P.—*Complainant.*

*Versus*

M/s Shrikrishna Stone Lime Company, P. O. Maihar, Distt. Satna, M. P.—*Opposite Party*

## APPEARANCES:

*For the complainant*—Sri Rammillan, Complainant

*For the Opposite Party*—Sri Bhola Ram.

INDUSTRY: Stone Lime.

DISTRICT: Satna (M.P.)

## ORDER/AWARD

This is an application under Sec. 33-A I.D. Act filed by one Rammillan against Srikrishna Stone Lime Co. Ltd., P. O. Maihar, District Satna complaining that he had been wrongly prevented from doing work with effect from 27-12-1964 during the pendency of two References No. CGIT-37/62 and CGIT-39/63 before the Central Government Industrial Tribunal, Bombay. The employers, opposite party, denied that the applicant had been discharged or dismissed but contended that he himself abandoned employment and had not been attending to duties. The case remained pending before the Central Government Industrial Tribunal, Bombay till it was transferred to this Tribunal-cum-Labour Court by Notification No. 1/67/LRI(ii), dated 8th March, 1967.

The parties have come to a settlement and they have filed a joint petition intimating that the dispute had been compromised on 20-4-1967. The petition has been duly verified before me. The applicant has stated that he does not want to press the application. It is, therefore, dismissed for want of prosecution. Since the order amounts to an award, let a copy of the same be sent to the appropriate Government for necessary action.

(Sd.) G. C. AGARWALA,  
Presiding Officer. 9-5-1967

[No. 35/8/67-LR I]

S.O. 1819.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby published the following award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur in the matter of an application under Section 33A of the said Act filed by Sarvashri Bhambhoo Prasad and four others which has been received by the Central Government on the 8th May, 1967.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT JABALPUR

*Dated April 27, 1967*

## PRESENT:

Sri G. C. Agarwala—*Presiding Officer.*

CASE No. CGIT/LC (5)/1967 U/s 33-A (JABALPUR)

CASE No CGIT—(10)/1965 U/s 33-A (BOMBAY)

(ARISING OUT OF REFERENCES NO. CGIT-47/62 & 39/63 (BOMBAY))

## PARTIES:

1. Shambhoo Prasad/Babadin.

2. Jangal Singh/Dhira Singh

3. Molaiya/Narabad

4. Dasodiya W/o Jangal Singh

5. Sadhoolal C/o Ramadhar Nigam, General Secretary, Chuna Mazdoor Sangh, P.O. Maihar, Distt: Satna (M.P.)—*Applicants.*

*Versus*

M/s. S. K. Kahansons & Co, P.O. Maihar, Distt. Satna, (M.P.)—*Opposite Party.*

## APPEARANCES:

*For the Applicants*—None.

*For the Opp. Party*—None

INDUSTRY: Lime Stone.

DISTRICT: Satna (M.P.)

## AWARD

Five persons S/Sri Shambhoo Prasad, Jangal Singh, Molaiya, Dasodiya and Sadhoolal filed an application before the Central Government Industrial Tribunal, Bombay against M/s S. K. Kahansons & Co., P.O. Maihar, Distt. Satna, complaining that they had been stopped from work from different dates and that



this is a contravention of Sec 33 I.D. Act because of the pendency of two cases nos CGIT 47/62 and CGIT-39/63 and in which they were concerned workmen

Proceedings remained pending before the said Tribunal till it was transferred by Notification No 1/67/LRI(u), dated 8th March, 1967

The case came up for hearing before this Tribunal on 30-3-1967 when at the telegraphic request of both the parties the hearing was adjourned to 22-4-1967. On this date also both parties absented inspite of due notice and service. The case was taken up in the absence of both parties. From the perusal of the record it appears that the dispute has been satisfactorily settled between the parties as intimated by the opposite party to the Bombay Tribunal by means of an application. Notice was sent by the Bombay Tribunal to the applicants to file objection, if any, but none was filed by the applicants. Because of this reason applicants have not taken care to appear and have taken no interest in proceeding, with the application. It is only the Union which had pursued the matter and had taken an adjournment on the last date. On 22-4-1967, the Union also did not appear. The application is, therefore, dismissed holding that there had been no contravention of Sec. 33 I.D. Act.

Since, however, the order amounts to an award it is being submitted to the appropriate Government under the provisions of Sec. 33-A of the I.D. Act.

(Sd) G. C. AGARWALA, Presiding Officer,  
27-4-1967.

[No 35/7/67-LRI]

**S.O. 1820.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the Industrial Dispute between the employers in relation to Messrs Shri Mankeshwar Mechanical Works, Bombay and their workmen which was received by the Central Government on 12th May, 1967

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY**

**REF. CGIT No. 58 of 1965**

**PARTIES:**

Employers in relation to Shri Mankeshwar Mechanical Works, Bombay

AND

Their Workmen.

**PRESENT:**

Shri Salim M Merchant, *Presiding Officer.*

**APPEARANCES:**

*For the Employers.*—Shri M. S. Naik, Advocate, with Shri U. N. Tripathy.

*For the Employers*—Shri M. S. Naik, Advocate, with Shri U. N. Tripathy.

Secretary with R. A. Pandit, Asstt Secretary, Transport & Dock Workers' Union, Bombay

*Dated at Bombay this 9th day of May, 1967*

**INDUSTRY** Major Ports

**STATE:** Maharashtra.

## **AWARD PART II**

1 The Central Government by the Ministry of Labour and Employment's Order No. 28/78/65-LRIV dated 6th September 1965, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute in respect of matters specified in the following Schedule to the said order to me for adjudication

### **SCHEDULE**

**I Whether the following demands of the workmen are justified?**

- (i) Increase in wages.
- (ii) Issue of Attendance Cards and Photo Identity Cards
- (iii) Grant of interim relief.
- (iv) Grant of Stream allowance

(v) Increase in the strength of employees

(vi) Introduction of Gratuity Scheme

If so, to what relief are the workers entitled?

II. Whether the termination of the service of the following workmen was justified? If not, to what relief are these workers entitled?

Sl. No.	Name of the worker	Category
1	Shri Aba Tukaram	Mazdoor Mukadam.
2	Shri Adya Prasad Parasnath	Gas-cutter.
3	Shri Banarsi Shiv Balak	Mazdoor.
4	Shri Bangai Munoo	Mazdoor.
5	Shri Bhurakundi Kalidin	Mazdoor.
6	Shri Hasan Ali Abdul Rehman	Mazdoor.
7	Shri Jagpat Prem Shanker.	Asst. Gas-cutter.
8	Shri Jainarayan Bhagwati.	Boiler-maker Mistry.
9	Shri Jairam Pati	Mazdoor.
10	Shri Jetha Shanker Bahkaran	Welder.
11	Shri Jinjam Shyam Suver	Mazdoor.
12	Shri Juman Rehmatullah.	Mazdoor.
13	Shri Laltraprasad Shobhnath	Gas-cutter
14	Shri Laltraprasad Shanker	Mazdoor.
15	Shri Prasidnarayan Shri narayan	Mazdoor.
16	Shri Pherai Bhagoo	Boiler-maker.
17	Shri Rampath Badri	Welder.
18	Shri Ramprasad Shiv Murat	Welder
19	Shri Ram Nihor Matabig	Mazdoor.
20	Shri Ramraj Jokhai	Mazdoor.
21	Shri Ram Moorat Sadloo	Mazdoor.
22	Shri Ram Baran Manoo	Mazdoor
23	Shri Ramgen Shobhanath	Asstt. Gas-cutter.
24	Shri Ramkewal Ram Nuranjan	Mazdoor
25	Shri Ramlakhsn Kashiram	Gas-cutter.
26	Shri Sheshanarayan Shiv Murat.	Welder
27	Shri Sripat Abhairaj	Hammerman.

2. By my Award Part I dated 4th November 1966, I made an Award in terms of the settlement which had been reached between the parties in respect of nine workmen covered by Demand No. II under reference. Thereafter six demands under Demand No. I were taken up for hearing, and after protracted discussion the parties at the hearing on 9th May 1967, filed a joint application recording the terms of settlement reached between them and have prayed that an Award in terms thereof be made in respect of these demands. A copy of the said joint application is enclosed herewith and marked 'Annexure A'.

3. As I am satisfied that the terms of settlement are fair and reasonable, I make this Award Part II in terms of the settlement recorded as 'Annexure A' hereto, which shall form part of this Award.

4. Their demands in respect of the remaining 18 workmen under Demand No. II has been adjourned for hearing to 19th June 1967.

No order as to costs

(Sd) SALIM M. MERCHANT,  
Presiding Officer

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL BOMBAY

REFERENCE No. CGIT-58 of 1965

Employers in relation to M/s Shri Mankeshwar Mechanical Works, Bombay

AND

their workmen represented by the Transport and Dock Workers' Union  
Bombay.

May it please the Tribunal,

We, the parties to the above dispute, have reached the following settlement on the outstanding demands and pray that an award be made in terms thereof.

*Demand No. I(i) Increase in wages*

The parties are agreed that the company shall grant an increase of 40% in the existing wages to all its employees drawing pay of Rs. 5/- or less per day and an increase of 20% to all those drawing a pay higher than Rs. 5/- per day. The list of the workmen in the service of the company at present with the pay drawn by them is shown in the statement annexed hereto. The two monthly paid workmen shown in the annexed statement shall also be granted an increase of 20% in their existing pay.

It is agreed that all the workmen shown in the annexure hereto are permanent workmen.

It is agreed that the increased wages will be paid with retrospective effect from 1st June 1966. The wages for the month of May payable in June will be at the agreed increased rate.

It is agreed that the arrears from 1st June 1966 to 30th April 1967 will be paid in two equal instalments—the first of such instalment to be paid on or before the 14th August 1967 and the second instalment to be paid on or before 26th January 1968.

*Demand No. I(ii)—Issue of Attendance Cards and Photo Identity Cards;*

It is agreed that the company shall issue attendance cards to each employee and photo identity cards to those workmen for whom it is necessary, by 1-6-1967.

*Demand No. I(iii)—Grant of Interim relief*

This demand does not survive.

*Demand No. I(iv)—Grant of Stream allowance*

It is agreed that the company shall pay a stream allowance of Rs. 1/25 paise per shift to each workman who is required to work in the stream but not in the docks. This payment will be made with effect from 1st May 1967.

*Demand No. I(v)—Increase in the strength of employees*

*Demand No. I(vi)—Introduction of Gratuity Scheme.*

These demands are not pressed at this stage.

*Demand No. II.—Under an earlier settlement which formed Award Part I herein the claim of 9 workmen mentioned therein were settled.*

It is agreed that the only claim that now survives in this reference is in respect of 18 workmen under demand No. 2 who are not covered by the settlement in Award Part I herein.

Dated at Bombay this 9th day of May 1967

For and on behalf of Messrs. Shri Mankeshwar  
Mechanical Works, Bombay  
(Sd.) K. R. TRIPATHI.

For the workmen represented by the Transport and Dock Workers' Union.

R. A. PANDIT,  
Assistant Secretary.

Before me

...

(Sd.) SALIM M. MERCHANT,  
Presiding Officer.  
Central Government Industrial Tribunal, Bombay.

## REFERENCE NO. 58 OF 1965

## List No. II

<i>Names</i>	<i>Category</i>
1. Banwari Rambharose	Blacksmith mistry
2. Rampeer Bhagirthy	Blacksmith
3. Abdulkader M. Kazi	Boiler-maker mistry
4. Bansraj Vijay	Boiler-maker
5. Ramajoor Matapalat	Boiler-maker
6. Deoraj Ramcheritar	Boiler-maker helper
7. Shrinarayan Rajdeo	Boiler-maker helper
8. Salik Ramkishor	Boiler-maker helper
9. Raymond D'Souza	Mechanic
10. Shivprasad Ramdeo	Mechanic
11. Badri Jagroo	Gas cutter
12. Sheshnarayan Ramdeo	Gas cutter
13. Manogui Subhag	Gas cutter
14. Bassudeo Jheelal	Boring machine operator
15. Ramdawar Bhagirthy	Asst. boring mch. operator
16. Laljee Boodhnath	Asst. boring mch. operator
17. Ramujagir Gajadhar	Hammerman
18. Jegannath Mhatre	Turner mistry
19. Purshu Ram Mahadeo	Turner
20. Nathuram Laxman	Turner
21. Rajnarayan Gunisinh	Asst. turner
22. Jagdamba Shivmurat	Welder
23. Lalmoney Doodhnath	Welder
24. Jethashanker Hariarnath	Asst. welder
25. Laltaprasad Tilakdhari	Asst. welder
26. Ramkerpal Ramesher	Welding plant operator
27. Ramawadh Bhagirthy	Welding plant operator
28. Rajdeo Bhagwathy	Plumber
29. Ramprasad Mahadeo	Mazdoor-mucadam
30. Ambica Ramdeo	Mazdoor
31. Bhagu Nukhai	Mazdoor
32. Harkhall Subhakaran	Mazdoor
33. Motilal Bhagueloo	Mazdoor
34. Sheshman Achalber	Mazdoor
35. Noormahamed A. Rehman	Mazdoor
36. Ramdawar Bhulai	Mazdoor
37. Bansraj Hariprasad	Mazdoor
38. Bhagwan Bhojal	Mazdoor
39. Withoba Sandipan	Mazdoor
40. Dukhl Shivbaran	Mazdoor

(Sd.) R. A. PANDIT.

For Transport & Dock Workers' Union,  
Bombay.

(Sd.) K. R. TIRPATHI.

For Mankeshwar Mechanic Works,  
Bombay.

[No. 28(78)/65-LRIV.]

## ORDERS

New Delhi, the 15th May 1967

S.O. 1821.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Allahabad Bank Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad constituted under section 7A of the said Act.

#### SCHEDULE

Whether the action of the management of the Allahabad Bank Limited, Jamalpur in not designating Sri Ram Surat Rai, Peon, as Peon-cum-daftri after the 27th March, 1966 is justified and legal? If not, to what relief Sri Ram Surat Rai is entitled?

[No. 51/17/67-LR.III.]

*New Delhi, the 16th May 1967*

**S.O. 1822.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Sesa Goa (Private) Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

#### SCHEDULE

1. Whether Messrs Sesa Goa (Private) Limited are justified in dismissing the services of Shri Avito D' Souza working as an auto-mechanic in the Sircaim workshop with effect from 27th December, 1963?
2. If not, to what relief is he entitled?

[No. 24/10/67-LR.I.]

*New Delhi, the 20th May 1967*

**S.O. 1823.**—Whereas an industrial dispute exists between the employers in relation to the Khetri Copper Project of National Mineral Development Corporation Limited P.O. Khetri, District Jhunjhunu (Rajasthan) (hereinafter referred to as the said Corporation) and their workmen represented by the Rashtriya Khetri Tamba Project Mazdoor Sangh, P.O. Khetri, (hereinafter referred to as the Union);

And, whereas the said Corporation and the Union have by a written agreement in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947) agreed to refer the said dispute to the arbitration of the person mentioned therein and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by it on the 2nd May, 1967.

#### Agreement

(Under Section 10A of the Industrial Disputes Act, 1947).

#### Name of Parties:

**Representing workmen.**—Shri G. C. Bhargava, Vice President, Rashtriya Khetri Copper Project of National Mineral Development Corporation Ltd., P.O. Khetri, Copper Project, District Jhunjhunu (Rajasthan).

**Representing workmen.**—Shri G. C. Bhargava Vice President, Rashtriya Khetri Tamba Project Mazdoor Sangh, P.O. Khetri, Copper Project, District Jhunjhunu (Rajasthan).

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri A. N. Roy, Regional Labour Commissioner (Central), Ajmer.

(1) Specific matters in dispute.

“Whether the following employees employed in the Khetri Copper Project of National Mineral Development Corporation Limited, are workmen as defined in Section 2(s) of the Industrial Disputes Act, 1947”.

*Civil Wing*

1. Shri P. V. Rao	Foreman (Civil)
2. Shri M. L. Thakar	Section Officer
3. Shri K. R. Puria	Sr. Scientific Asst.
4. Shri R. S. Mertia	Horticulture Officer
5. Shri P. N. S. Mehrotra	Sr. Surveyor
6. Shri P. D. Gokhale	Engineering Asstt. (Civil)
7. Shri R. L. Tanaja	Engineering Asstt. (Civil)
8. Shri S. C. Gupta	Engineering Asstt. (Civil)
9. Shri B. K. Sehl	Engineering Asstt. (Civil)
10. Shri M. G. Singh	Engineering Asstt. (Civil)
11. Shri Lalji Kapoor	Engineering Asstt. (Civil)
12. Shri A. B. Mathur	Engineering Asstt. (Civil)

*Mechanical Wing:*

13. Shri A. Channaiah	Foreman (Mechanical)
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*Mining Wing:*

14. Shri Bal Bahadur	Foreman (Mining)
15. Shri B. D. Gupta	Foreman (Mining)
16. Shri M. P. Singh Yadav	Foreman (Mining)

*Prospecting Wing:*

17. Shri M. L. Karnwal	Sr. Surveyor (Topo)
18. Shri Gurmej Singh	Sr. Surveyor (Topo)
19. Shri Kishori Lal	Sr. Surveyor (Topo)
20. Shri M. Pal	Sr. Technical Asstt.
21. Shri S. K. Sinha	Sr. Technical Asstt.
22. Shri P. P. Kala	Sr. Technical Asstt.
23. Shri H. N. Chaturvedi	Sr. Technical Asstt.
24. Shri Masood Ahmed	Sr. Technical Asstt.
25. Shri Shamim Ishaq	Sr. Technical Asstt.

*Administration Wing:*

26. Shri D. R. Bhagwat	P.S. to G.M.
27. Shri D. C. Mehta	Section Officer

*Finance and Accounts Wing:*

28. Shri N. B. Kulkarni	Sr. Accountant
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*Stores Wing:*

29. Shri I. J. S. Katari	Asstt. Store Officer.
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*Purchase Wing:*

30. Shri C. D. Sharma	Asstt. Purchase Officer.
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- (ii) Details of the parties to the dispute including the name & address of the establishment or undertaking involved. General Manager Khetri Copper Project of National Mineral Development Corporation Limited, P.O. Khetri Copper Project, District Jhunjhunu (Rajasthan) and their workmen represented by Rashtriya Khetri Tamba Project Mazdoor Sangh.
- (iii) Name of the Union, if any representing workmen in question. Rashtriya Khetri Tamba Project Mazdoor Sangh, P.O. Khetri Copper Project, District Jhunjhunu.
- (iv) Total No. of workmen employed in the undertaking affected. 1800.
- (v) Estimated number of workmen affected or likely to be affected by the dispute. 30.

The arbitrator shall make his award within a period of 90 days or within such further time as is extended by mutual agreement between us in writing. In case

the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

1. Representing Employer

Sd/- D. S. KOTHARI,  
Administrative Officer  
NMDC Ltd., Khetri Copper  
Project.

Witnesses:

1. Sd/- A. S. RAIZADA,  
17/4.
2. Sd/- CAYAN PRAKASH.

Signature of the Parties:

2. Representing Workers.

Sd/- G. C. BHARGAVA,  
Vice-President  
R.K.T.P.M. Sangh,  
Khetri Copper Project.

Accepted

Sd/- A. N. ROY,

Regional Labour Commissioner(C), Ajmer.

[No. F. 52/15/66/LRI.]

S. S. SAHASRANAMAN, Under Secy.

**(Department of Labour & Employment)**

*New Delhi, the 16th May 1967*

**S.O. 1824.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal-cum-Labour Court (Central) Jabalpur, in the matter of an application under Section 33A of the said Act from Smt. Indranila and 19 others, Pure Chirimiri Colliery, Post Office Chirimiri, District Surguja (Madhya Pradesh) which was received by the Central Government on the 11th May, 1967.

**BEFORE THE CENTRAL INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
JABALPUR**

*Dated April 29, 1967*

**PRESENT:**

Sri G. C. Agarwala—Presiding Officer.

**CASE No. CGIT/LC (47)/67(U/S 33-A) (JABALPUR)**

**CASE No. CGIT—(12)/59(U/S 33-A) (BOMBAY)**

(Arising out of Case Reference No. 1/57 (Dhanbad) & 22/60 (Bombay).)

**PARTIES:**

1. Indranila D/o Mangal.
2. Lachhami D/o Pehatu
3. Dadni D/o Rajman
4. Ganeshia D/o Rajman
5. Itwaria D/o Nandlal
6. Baspatia D/o Lalman
7. Fulmat D/o Sukhdeo
8. Manghagi D/o Sukhai
9. Nanki D/o Sukhai
10. Bhagwantia D/o Amruduwa
11. Fulbasia D/o Hariprasad
12. Rajkumari D/o Prem
13. Bannal D/o Budhram
14. Jagman D/o Sukhlal
15. Prembal D/o Rambharos
16. Kabilaso D/o Chamaroo
17. Fuleshwari D/o Ganpat
18. Bachliya D/o Bullu
19. Basantia D/o Mandhari
20. Lawangi D/o Jhaggad

*Applicants.*

*Versus*

The Manager,  
Pure Chirimiri Colliery,  
P.O. Chirimiri,  
District Surguja, M.P.

}

*Opposite Party.*

**APPEARANCES:**

*For the applicants.*—Sri Gulab Gupta, General Secretary, M.P.C.W. Federation.

*For the Opp. Party.*—Sri S. R. Sablok, Agent, Orient Colliery and representative of M/s. Central India Coal-fields Ltd., 15, India Exchange Place Calcutta.

**INDUSTRY:** Coal Mine.

**DISTRICT:** Surguja (M.P.)

**ORDER/AWARD**

This is an application under Sec. 33-A I.D. Act by Smt. Indranila and 19 others against the management of Pure Chirimiri Colliery complaining that conditions of their service had been changed to their prejudice inasmuch as they had been converted from time-rated to piece rated wagon loaders and this was all in contravention of Sec. 33 of I.D. Act because of the pendency of Ref. No. CGIT-1/1957 of Dhanbad Tribunal. The application was originally filed before the Dhanbad Central Government Industrial Tribunal, from where it was transferred to Central Government Industrial Tribunal, Bombay. The proceedings were transferred to this Tribunal by Notification No. 1/67/LRI(ii) dated 8th March, 1967.

The opposite party had filed a reply to the application. After one date of hearing before this Tribunal the case was taken up today when the representatives of the parties filed a joint petition intimating that the dispute has been settled. Terms of settlement have been embodied in annexure and are reproduced with this order/award. The dispute having been settled between the parties, an order/award is recorded in terms of the settlement. Since this amounts to an award let a copy of the same be sent to the appropriate Government.

(Sd.) G. C. AGARWALA,  
Presiding Officer.

*The 29th April, 1967.*

**ANNEXURE***Memorandum of Settlement***Name of the Parties:**

**Representing Employers.**—Shri S. R. Sablok, Agent, Orient Colliery and Authorised Representative of M/s Central India Coal-fields Ltd. Calcutta owners of Pure Chirimiri Colliery (now closed)

**Representing workmen.**—Sri Gulab Gupta, General Secretary, M.P. Colliery Workers' Federation, Chirimiri and authorised representative of the workmen concerned (formerly known as Chhattisgarh Colliery Workers' Federation, Chirimiri)

*Short recital of the Case*

Smt. Indranila and 19 others, wagon loaders of Pure Chirimiri Colliery made a written complaint on 31st October 1959 under Section 33-A of I.D. Act, 1947 to the Central Government Industrial Tribunal, Dhanbad alleging that the employers by changing the work of wagon loading from time rated to piece rated as per L.A.T. Award with effect from 20th April 1959 had contravened the provisions of section 33 of I.D. Act pending a reference No. 1 of 1957 before the said Tribunal. The said complaint has been finally transferred for disposal to the Central Govt. Industrial Tribunal, Jabalpur and is the case No. 4/67(u/s 33-A of I.D. Act) before the said Tribunal.

Whereas the said colliery i.e. Pure Chirimiri Colliery has been closed in the year 1962 and all the workers employed therein have been retrenched. And whereas the parties above-named desired to settle the complaint amicably among themselves, they discussed the matter and reached the settlement as under:—

*Terms of Settlement*

(1) Agreed that the management shall pay a lump sum of Rs. 1500/- (Fifteen hundred only) to the General Secretary, M.P. Colliery Workers' Federation for



distribution to the complainants concerned in full and final settlement of their claim in the said complaint.

(2) The said amount of Rs. 1500/- (Fifteen hundred only) shall be disbursed by the M.P. Colliery Workers' Federation, Chirimiri, M.P. to the complainants as per Annexure A to this Settlement, expeditiously.

(3) If any amount remains undischursed after the expiry of six months from the date of this settlement on account of non-availability of any of the complainants to whom the payment is to be made, the same shall be utilised for the welfare of the colliery workers.

(4) The amount as agreed under para 1 above shall be paid within one month from the date of the publication of the Award of the Central Government Industrial Tribunal, Jabalpur before whom the said complaint is pending at the present.

5. Both the parties shall file this settlement before the Central Government Industrial Tribunal Jabalpur requesting for an award in terms thereof.

Sd/- GULAB GUPTA,  
General Secretary,  
M.P. Colliery Workers' Federation  
(Formerly known as Chhattisgarh  
Colliery Workers' Federation),  
Chirimiri, M.P. and authorised  
representative of the complainants.  
Jabalpur, M.P.

Sd/- S. R. SABLOK,  
Agent, Orient  
Colliery and Representative of M/s  
Central India Coal-fields Ltd., 15, India  
Exchange Place, Calcutta.

Dated the 29th April, 1967

Witnesses:—

1. Sd/- G. S. KAPUR.

Verified.

Sd/- G. C. AGARWALA,  
29-4-67.

Sd/- S. R. SABLOK,  
29-4-67.

Sd/- GULAB GUPTA,  
29-4-67.

Part of Award

Sd/- G. C. AGARWALA,  
Presiding Officer

29-4-67

ANNEXURE A

Names of the complainants who are entitled to payment under the Settlement dated 29th April, 1967.

1. Indranila D/o Mangal,
2. Lachhami D/o Pehatu
3. Dadni D/o Rajman
4. Ganeshia D/o Ramadhin
5. Itwaria D/o Nandlal
6. Baspalia D/o Lalman
7. Fulnat D/o Sukhdeo
8. Manhagi D/o Sukhai
9. Nanki D/o Sukhai
10. Bhagwantia D/o Amruduwa
11. Fulbasia D/o Hariprasad
12. Rajkumari D/o Prem
13. Banni D/o Budhram
14. Jagman D/o Sukhlal
15. Prembal D/o Rambharoa
16. Kabhiso D/o Rambharos
17. Fuleshwari D/o Ganpat
18. Bachiya D/o Bullu
19. Basantia D/o Mandhari
20. Lawangi D/o Jhaggad

Sd/- GULAB GUPTA,

Sd/- S. R. SABLOK,  
Sd/- G. C. AGARWALA,  
Presiding Officer.  
[No. 8/97/64-LRII.]

New Delhi, the 18th May 1967

S.O. 1825.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2 Calcutta, in the industrial dispute between the employers in relation to the Toposi Colliery, Post Office Toposi, District Burdwan and their workmen, which was received by the Central Government on the 15th May, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2, CALCUTTA  
REFERENCE No. 25 of 1966

**PARTIES:**

Employers in relation to the Toposi Colliery, P.O. Toposi,  
AND  
Their workmen.

**PRESENT:**

Shri S. K. Sen—Presiding Officer.

**APPEARANCES:**

*On behalf of Employers*—Shri S. S. Mukherjee, Advocate.

*On behalf of Workmen*—Shri Parimal Das Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

**AWARD**

By Order No. 6/38/65/LRII dated 22-4-1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to Toposi Colliery, Distt. Burdwan, and their workmen in relation to the subject matter mentioned in the following schedule:

"Whether the action of the management of Toposi Colliery in dismissing Shri Jagadish Mali, Pick Miner was justified? If not, to what relief is he entitled?"

2. Jagadish Mali worked originally as bailing mazdoor at Toposi Colliery. He was retrenched but as a result of an agreement between the management and the union, the Colliery Mazdoor Sabha, he was taken back as a pick miner. Upto-7-11-1964 he had put in about three years service in the colliery including his services as bailing mazdoor. On 7-11-1964 a chargesheet was drawn up against him and was served on him on 9-11-1964 the charge against him being that on 6th November, 1964 at No. 3 incline at about 11-30 a.m. he was found cutting a corner of a stook i.e. a small pillar left in the process of depillaring, at 19½ North Level and 9th Dip and was caught red handed by the Assistant Manager, Shri D. Dey. Jagdish Mali sent a reply to the chargesheet on 10-11-1964 having got it drafted by one Biren Babu, in charge of the unit of the union office at Toposi. Therein Jagdish Mali denied the charge against him, but stated that when he went to do his usual work in the first shift on 6-11-1964, he could not find the Mining Babu who was to show him his "ayatan" or working area for the day, and so he began to cut coal him a place where several other pick miners were cutting coal. This reply was not considered satisfactory and therefore Jagadish Mali was given notice that the enquiry would be held on 16-11-1964 by the Labour Welfare Officer, Shri D. N. Kar and an Assistant Manager, Shri K. Dey. Jagadish Mali attended the enquiry at which 3 witnesses were examined the enquiry committee submitted a report on 19-11-1964 finding that the charge was proved, and on 25-11-1964 with the approval of the Director-in-charge the manager passed an order of dismissal against Jagadish Mali.

3. According to the case of the union the management was dissatisfied with Jagadish Mali whom the management had been forced to take back as a result of pressure by the union; and further the management was also dissatisfied as the pick miners through the union were agitating for removal of certain grievances, e.g. non-issue of measurement slips and that, therefore, in collusion with the underground supervisory staff the proceedings were started against Jagadish Mali for victimising him. According to the union, at the enquiry Jagadish Mali was not given any opportunity to produce his witnesses and the statements recorded were not explained to him in Hindi, and accordingly the order of dismissal on the basis of such enquiry could not be sustained.

4. According to the management the Asstt. Manager, Shri D. Dey actually found Jagadish Mali cutting the corner of a pillar, and therefore a chargesheet

was issued against him, and the enquiry was fairly conducted, the workman being given full opportunity to cross-examine the witnesses and to produce his defence witness, if any, which the workman did not do. The management also denied that there was any intention to victimise the workman concerned either for his trade union activities or for any other reason.

5. Jagadish Mali in his deposition before the tribunal has stated that at the enquiry no witness was examined before him and that he alone was called and gave his statement and was cross-examined by the Asstt. Manager, Dey Babu who was present along with Kar Babu. But in paragraph 7 of the written statement of the union, it was not suggested that the witnesses were not examined in the presence of the workman concerned. One of the enquiry officers, namely D. N. Kar, Labour Welfare Officer, has deposed for the management and has stated that all the witnesses were examined in the presence of Jagadish Mali, and Jagadish Mali was asked to cross-examine them although he did not do so. D. N. Kar further stated that the statements were read out and explained in Hindi, and Jagadish Mali was asked to put his thumb impressions below the record of the statement of each witness but he refused to do so. The evidence of D. N. Kar on the point is clearly to be preferred. Before the tribunal, Jagadish Mali stated that Munni Lal Rajbhar, one of the witnesses at the domestic enquiry was not working at the same place as he on 6th November, 1964, and that he did not know Dhorai Chamar at all who was another witness at the domestic enquiry; but from Ext. A, the proceedings of the domestic enquiry, it appears that at the domestic enquiry Jagadish Mali in his initial statement before cross-examination by one of the Assistant Managers, stated that as he could not find the Mining Babu and as he saw one Munni Lal cutting coal, he began to cut coal from a place near Munni Lal. Further, in cross-examination he admitted that he saw Dhorai Chamar coming with a basket to that place when the Assistant Manager was there. In his statement at the domestic enquiry Jagadish Mali further stated that Bara Sahab or the Manager and the Chota Sahab or the Assistant Manager both came and questioned him when he was cutting coal; but in his deposition before the tribunal Jagadish Mali sought to deny that he saw the Manager or the Assistant Manager. It is clear that Jagadish Mali has tried before the Tribunal to deny everything and his statement cannot at all be relied upon. I must accept the evidence of D. N. Kar and hold that the domestic enquiry was properly held, as shown by the record of the proceedings, which he proved.

6. As regards the report of the enquiry officers, Shri P. Das Gupta challenged the same on two grounds. Firstly, he pointed out that the enquiry officer had found Jagadish Mali guilty of a serious breach of Mining Regulations in as much as he started cutting coal on his own initiative although the *ayatan* or working area was not allotted to him by the Mining Munshi or Overman on that day. Shri P. Das Gupta has urged that there was no such charge in the chargesheet, which only mentioned the cutting of the pillar and consequent loss caused to the owners thereby. A perusal of the report however shows that the enquiry officers referred to this point only incidentally. They proceeded to discuss the charge mentioned in the chargesheet, namely cutting the corner of the stook or pillar and held that that charge was sufficiently proved. There is, therefore, no substance in the first point raised by Shri Das Gupta.

7. The second point urged by Shri Das Gupta is that the enquiry officers wrongly stated at page 5 of the report that Jagadish Mali confessed in his reply to the chargesheet and in his statement that he began to cut 'kona' or corner of a pillar, for Jagadish Mali had made no such admission. It is true that Jagadish Mali did not make an admission about cutting of 'kona' or pillar either in the reply to the chargesheet, Ext. 2 or in his statement at the domestic enquiry. In Ext. 2 he merely stated that he was cutting coal from a place near where other pick miners were cutting coal, and in his statement before the enquiry officers he stated that he was cutting floor coal near Munni Lal. It appears that in the report as originally typed, it was correctly stated that Jagadish Mali confessed that without obtaining any permission he began to cut floor coal near Munni Lal. There is reason to think that the words 'floor coal' were cut out and the word 'kona' inserted in writing subsequently, because in the copy of the record sent along with the written statement of the management, the words 'floor coal' appear originally, and that was also cut through and the word 'kona' inserted in writing. It appears that the colliery officer who was in charge of the preparation of copies for the case before the tribunal made an unauthorised correction which he thought necessary without realising that the correction was rather a foolish one, because the word 'kona' in that context is quite inappropriate. I must hold that the enquiry officers in their report only mentioned that Jagadish

Mali had confessed about cutting floor coal without permission from any Mining Babu. In the bottom half of page 5 of their report they dealt with the question of cutting of a corner of stook, and found the charge proved. All the 3 witnesses examined before the enquiry officers mentioned that Jagadish Mali was seen cutting the corner of the pillar and that the Assistant Manager came up and challenged him then and there for cutting the corner of the pillar. Accordingly the finding of the enquiry officers that the cutting of a stook or pillar was proved cannot be challenged. There was sufficient evidence justifying the conclusion of the enquiry officers and the tribunal, cannot, therefore, sit in appeal over the findings of the enquiry officers but must accept the finding. I find, therefore, that there is no substance in the second point raised by Shri P. Das Gupta with reference to the report of the enquiry officers, although it may be conceded that somebody when sending the report to the court made an injudicious and somewhat silly alteration.

8. The approval of the director-in-charge, Shri B. Pal, was duly obtained before the order of dismissal was passed *vide* Ext. C. It must, therefore, be held that the order of dismissal was legal and that this tribunal cannot interfere with the same.

9. My award, therefore, is that the action of the management of Toposi Colliery in dismissing Shri Jagadish Mali, Pick miner, was justified and that the workman, therefore, is not entitled to any relief.

The 9th May, 1967.

S. K. SEN,  
Presiding Officer.  
Presiding Officer.  
[No. 6/38/65-LRII.]

S.O. 1826.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2 Calcutta, in the industrial dispute between the employers in relation to the Toposi Colliery, P.O. Toposi, District Burdwan and their workmen, which was received by the Central Government on the 15th May, 1967.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA.

##### REFERENCE No. 74 of 1966

##### PARTIES:

Employers in relation to the Toposi Colliery,  
AND  
Their workmen.

##### PRESENT:

Shri S. K. Sen.—*Presiding Officer.*

##### APPEARANCES:

*On behalf of Employers.*—Shri S. S. Mukherjee, Advocate.  
*On behalf of Workmen.*—Shri P. Das Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

##### AWARD

By Order No. 6/79/65-LRII dated 14th December, 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to Toposi colliery, Dist., Burdwan, and their workmen in respect of the subject matter mentioned in the following schedule:

“Whether the transfer of Shri Lilu Sou, Underground trammer from underground to surface and the refusal of employment to him by the management of Toposi Colliery with effect from 19th January, 1965 were acts of victimisation? If so, to what relief is the workman entitled?”

2. According to the case of the union, the Colliery Mazdoor Sabha, Lilu Sou who was an underground trammer was stopped from going underground for work with effect from 19th January, 1965, by the attendance clerk and the Assistant Manager and he got a complaint written out on 20th January, 1965, and sent the same to the Manager (Ext. 1). The manager replied by a letter dated 23rd January, 1965 (Ext. 3) that Lilu Sou had been asked to work as surface trammer

and had not joined that work; he was assured that he would continue to enjoy the underground allowance while working as surface trammer. According to the union this letter was received by the workman on 29th January, 1965; he still did not join as surface trammer and thereafter he received a letter asking him to show cause, dated 1st February, 1965, and a chargesheet dated 9th February, 1965. The workman also received notices dated 25th February, 1965, and 8th March, 1965 notifying him about the enquiry but he did not attend the enquiry. In the meantime, on 28th January, 1965, Shri Robin Chatterjee, Vice-President of the Union, had sent a letter of complaint to the Conciliation Officer, Raniganj, for illegally stopping Lilu Sou from work and for transferring him unlawfully as a surface trammer. According to the union, the workman did not originally receive a written or oral order for transfer as a surface trammer and though such an order was contained in the letter dated 23rd January, 1965, his transfer to the surface was illegal as it affected the conditions of his service adversely.

3. According to the management, on account of congestion on the surface the services of an extra surface trammer were necessary and so the Assistant Manager, Shri D. Dey, asked Lilu Sou to work as surface trammer from 19th March, 1965, but he refused to do so, and he sent a complaint against the Assistant Manager as well as the attendance clerk to the Manager and did not join his duties as surface trammer even when informed by the Manager by letter dated 23rd January, 1965, that he would be given underground allowance when working as surface trammer. Accordingly, after issue of notice to show cause, a chargesheet was drawn up against the workman on 9th February, 1965, and issued to him, and two notices fixing the date of enquiry were issued one after another, but he did not attend the enquiry and ultimately an *ex-parte* enquiry was held on 18th March, 1965, and an order of dismissal was passed on 31st March, 1965, and communicated by registered post to the home address as well as the colliery address of the workman. According to the management, the reference made by the Government relating to the validity of the transfer order must be deemed to be infructuous, and on the merits, both the transfer order and the subsequent dismissal order were justified.

4. Lilu Sou in his evidence before the tribunal stated that he received the chargesheet and two notices of the enquiry which he handed over to Biren Babu, a union worker at Toposi, but he did not enquire what happened thereafter and did not receive any order of dismissal; but as he applied through the union for relief, he believed that he had lost his job and so after two months he left Toposi. Shri Robin Chatterjee, Vice-President of the Union, stated that before the Conciliation Officer the company's representative never stated that the workman had been dismissed and that no application under Section 33(2)(b) of the Industrial Disputes Act was submitted to the Conciliation Officer although the alleged dismissal was made during the pendency of the conciliation proceedings before the Conciliation Officer, Raniganj.

5 The management has not given any evidence as to filing of an application under Section 33(2)(b) of the Industrial Disputes Act before the Conciliation Officer and it may be taken that no such application was filed; but a mere absence of such an application does not make the order of dismissal illegal if it was passed *bona fide* after making proper enquiry. In the present case the service of chargesheet and giving of notices of the date of enquiry are admitted by the union and the workman. The management proved by examining the Enquiry Officer, Shri D. N. Kar, that the enquiry was held *ex-parte* on 18th March, 1965, *vide* proceedings, Ext. A: that Shri Kar submitted his report, Ext. B, on 18th March, 1965, finding that the charge of failing to join his duty as surface trammer for more than 10 days was sufficiently proved; and that the order of dismissal, Ext. C, was passed on 31st March, 1965, after obtaining the approval of the Managing Director. Further, Shri Kar stated that he informed the Conciliation Officer on 27th April, 1965, that Lilu Sou had been dismissed as a result of an enquiry. The union filed the failure report which mentions a written statement of the management filed on 30th April, 1965, said to be enclosed with the failure report; the enclosure, *viz.*, a copy of the written statement was not filed by the union. The copy however was received by the tribunal along with the reference order which enclosed the failure report and the copies of the written statements of both parties. In the written statement filed before the Conciliation Officer by the management, Toposi Colliery, dated 29th April, 1965, it is mentioned in paragraphs 7 to 11 that on expiry of 10 days' continuous absence from his post as surface trammer to which he was transferred, a chargesheet was issued for the said mis-conduct, and that after issue of two notices about the date and place of enquiry, an *ex-parte* enquiry was held on 18th March, 1965, and an order of dismissal was passed on 31st March, 1965, and was duly sent to the workman.

concerned. The Vice-President of the union must have received a copy of this written statement along with the failure report and must have been aware of the order of dismissal. Moreover, as the workman knew of the chargesheet and had received the two notices of enquiry, it was natural for him to try to find out what order had ultimately been passed, and even if he had not received the written order of dismissal, it must be held that he was aware of the order of dismissal.

6. On the basis of the present reference order, the order of dismissal cannot be set aside and so it would be useless to enter into the details of the question whether or not the order of transfer passed on Lilu Sou from underground trammer to surface trammer with effect from 19th January, 1965, was a legal or an illegal order. As held by the Calcutta High Court in the case of *New India Flour Mills, 1963, 11J 745*, the reference to the tribunal of the issue as to whether the transfer was justified or not becomes infructuous when the workman has already been dismissed by the employers. In the present case, long before the reference was made which was on 14th December, 1965, the workman Lilu Sou had been dismissed. Even if there was no compliance with Section 33 (2) (b) of the Industrial Disputes Act, that would not make the order of dismissal void and without jurisdiction.

7. Accordingly, my award is that the reference order relating to the legality and validity of the transfer of Shri Lilu Sou, Underground trammer to the surface and refusal of employment to him in the underground with effect from 19th January, 1965, is infructuous in view of his prior dismissal, and therefore no relief can be given to the workman concerned. I may add that the workman deliberately flouted an order of transfer even when assured of continuance of his underground allowance, and deliberately absented himself from the inquiry, and would not be entitled to relief in any case.

S. K. SEN,  
Presiding Officer.

*Dated, 10th May, 1967.*

[No. 6/79/65-LRII]

**S.O. 1827.**—In pursuance of section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal No. 2 Calcutta, in the industrial dispute between the employers in relation to the Adjai Second Colliery, Post Office Charanpur, Burdwan and their workmen, which was received by the Central Government on the 15th May, 1967.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

REFERENCE No. 42 OF 1966

AND

REFERENCE No. 62 OF 1966

#### PARTIES.

Employers in relation to the Adjai Second Colliery,

AND

Their workmen.

#### PRESENT:

Shri S. K. Sen.—*Presiding Officer.*

#### APPEARANCES:

*On behalf of Employers.*—Shri S. S. Mukherjee, Advocate.

*On behalf of Workmen.*—Shri Parimal Das Gupta, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

#### AWARD

By Order No. 6/57/65-LRII dated 15th June, 1965, the Central Government referred for adjudication an industrial dispute between the employers in relation to Adjai Second Colliery P.O. Charanpur, Dist., Burdwan, and their workmen arising from the termination of services of 5 workmen with effect from the 11th June, 1964, namely, Shri Dukhi Sadhu, Shri Sayed Ali, Shri Brij Mohan, Shri

Sidhnath Ahir and Shri Chouthi Ahir. By Order No. 6/75/65-LR.II dated 13th October, 1965, the dispute between the same parties arising from the termination of service of Shri Salku Harijan with effect from 11th June 1964, was referred for adjudication. The cases were taken up together as the termination of services of the 6 workmen was made in the same circumstances.

2. At Adjai Second Colliery a unit of the Colliery Mazdoor Union affiliated to the INTUC was in existence from before. In June 1962 a unit of the Colliery Mazdoor Sabha, Asansol, affiliated to the AITUC was opened at Adjai Second colliery. Dukhi Sadhu who used to work as a loader at the colliery became President of the Committee of the Union of the new Union and Sayed Ali who used to work as a Fan Khalasi became Secretary of the unit of the new union. When a state of emergency was declared on account of invasion by the Chinese at the North Eastern border of India the management decided that for four weeks the workmen should work on Sundays also and contribute the pay earned on Sunday during the four weeks to the Defence Fund. The six workmen concerned in the two cases who were all members of the unit of the Colliery Mazdoor Sabha, Asansol, are alleged to have made propaganda against the action of the management in thus making the workers work on Sundays and realising contribution to the Defence Fund, and they are alleged to have made propaganda praising the Chinese as liberators who would help the Laljhanda to fly honourably. A complaint was made by Shri P.M. Gautam, Welfare Officer of the Colliery on 28th November, 1962, against these workmen and a case under Rule 41(1)(a) of the D. I. Rules was started against them and they were convicted by a Magistrate, First class, Asansol, on 22nd May, 1964, and sentenced to suffer R.I. for one year each. Their appeal to the Sessions Judge, Burdwan, was dismissed. A Revision application was filed by them in the High Court. The High Court upheld their conviction under Rule 41(1)(a) of D.I. Rules but reduced the sentence to the period already undergone, i.e., about 2 months and a half by an order dated 3rd August, 1964.

3. After they had been convicted and sentenced by the Magistrate of Asansol, the workmen filed applications from the Asansol Special Jail informing the management of their sentence and applying for leave until they were released stating that they had filed an appeal. The letters were written on 28th May 1964, but they were despatched from the Special Jail on 3rd June, 1964. On receipt of the applications the management issued orders on 11th June, 1964, stating that leave for indefinite period could not be allowed and terminating their services with immediate effect and directing that they should arrange to collect their dues. Copies of the orders were sent to the workmen through the Jail Superintendent. After they had been released in pursuance of the High Court's Order they went back to the colliery and asked for work but the management refused to re-employ them.

4. A dispute concerning these 6 workmen was raised by the General Secretary of the Colliery Mazdoor Sabha Asansol by letter dated 16th February, 1965, to the Conciliation Officer Asansol. There was however no settlement before the Conciliation Officer.

5. The facts stated above are admitted by both sides. The case of the union is that the termination of services of the workmen is illegal as no chargesheet was drawn up and no opportunity was given to the workmen concerned to give their explanation. According to the union, the management was displeased with the starting of branch of the communist union at Adjai Second colliery and wanted to break the unit of that union and had made a complaint to the Police against them in order to get rid of them and thus break the unit of the communist union at the colliery.

6. The case of the management, on the other hand, is that the management was not aware that these workmen were members of the Colliery Mazdoor Sabha and that there was no intention of getting rid of them by starting a case against them; but when they were convicted under Rule 41(1)(a) of the D.I. Rules and sentenced to suffer R.I. for one year their services were terminated as indefinite leave could not be granted and as they had been convicted under D.I. Rules. According to the management, the termination of services without drawing up chargesheet and without holding any enquiry was quite proper and legal in the circumstances.

7. Shri P. Das Gupta appearing for the union has pointed out that the management's contention in their written statement that they were not aware of the workmen being members of the Colliery Mazdoor Sabha before the order of termination of services was passed on them, is obviously incorrect, because in

the complaint before the Police which was filed by Shri Gautam, Welfare Officer, Ext. 1, he mentioned that the communist unionists at the colliery were engaged in subversive activities; the names of the 6 workmen were mentioned as organisers of the subversive activities. This complaint indicates that the Welfare Officer must have been aware that these workmen were members of the communist union. Shri Das Gupta has also referred to Paragraph 28 of the Standing Order, Ext. D, that no order of punishment by way of suspension, dismissal or fine shall be made unless the employee concerned is informed in writing of the alleged misconduct and is given an opportunity to explain the circumstances alleged against him. Shri S. S. Mukherjee, appearing on behalf of the management, has urged that in the present case the services of the 6 workmen were terminated under Paragraph 21 of the Standing Orders which provides that either the management or an employee may terminate the services by giving notice in writing to the other party, the required notice for monthly paid staff being one month and for the weekly paid staff one week. Further, Shri Mukherjee has urged that even if the order of termination be regarded as punishment, in such circumstances where the workmen are convicted by a Criminal Court under 41(1) (a) of D.I. Rules and sentenced to suffer R.I. for one year and they are absent from their posts of work for more than 10 days before the order of termination of services is passed no formal chargesheet or domestic enquiry is necessary. In support of this contention Shri Mukherjee has referred to two decisions of the Supreme Court, namely *Bird & Co. Vs. Their Employees* (1957 1 LLJ 226) and *Indian Iron & Steel Co. Ltd., Vs. Their workmen* (1958 1 LLJ 260). In 1957 1 LLJ 226, a workmen named Asimananda Bannerjee was arrested under West Bengal Security Act and detained in jail for about 3 months; after his release, even though no charge under Security Act was preferred by the Police, the company dismissed him without a chargesheet and inquiry, the Supreme Court upheld the order of the management, pointing out that the misconduct was continued absence for over 10 days and it was difficult to see what purpose could be served by a formal charge being delivered and what conceivable answer could be given. This view was reaffirmed in the subsequent case, 1958 1 LLJ 260 where the dismissal of a number of workmen arrested and detained in jail without serving chargesheet on them was upheld by the Supreme Court. Shri Das Gupta has urged that in the latter case, namely 1958 1 LLJ 260, the Supreme Court laid stress on the fact that a large number of workmen had been arrested and detained at a time, and that the present case is different where only 6 workmen were sentenced to imprisonment for one year; I do not however think that there is a substantial point of distinction here. Next, Shri Das Gupta has pointed out that the Supreme Court mentioned that the case would be different if the workmen had been arrested on the complaint of the management made in mala fide exercise of their power with the intention of getting rid of the workmen, and that the present case is such a case, for the management had made a complaint in mala fide exercise of their power in order to get rid of these men as the management did not like that the communist union should function at the colliery. In support of this contention Shri Das Gupta has referred to the complaint, Ext. 1, made by the Welfare Officer of the colliery on 28-1-1964 where the Welfare Officer mentioned that the communist unionists were sabotaging production in an organised manner in spite of Government's appeal to increase production due to the National Emergency and were praising the Chinese as liberators, and inciting workmen against contributing to the Defence fund. It may be that the management were displeased with the workmen for their activities as members of the union, but it appears from the evidence of two of the workmen who have deposed before the tribunal namely, Dukhi Sadhu and Sayed Ali that as soon as the workers were released on bail, the management allowed them to work in the respective posts at the colliery until their conviction which was nearly a year and a half later, namely on 22-5-1964. This indicates that the management did not have a particular grudge against the workmen and was not anxious to get rid of the workmen. Further, when the conviction for subversive activities has been confirmed up to the High Court, it cannot be held that the complaint was made mala fide to get rid of the workmen. It is only when they had been convicted by the Magistrate on 22-5-1964 and they had made applications for leave for an indefinite period which could not be granted, that the management passed orders terminating their services. I must hold that in the circumstances, the termination of services was legal and proper.

8. Shri Das Gupta elicited the information from the management's witness that some days' leave was due to some of the workmen, e.g. that 10 days' leave was due to Dukhi Sadhu and to Chouthi Ahir, 15 days' leave was



due to Brij Mohan and 17 days' leave was due to Sidhnath Ahir. He has urged that in the circumstances, the order refusing the application for leave cannot be held to be bonafide. It should be pointed out however that between the date of conviction, 22-5-1964 from which date the workmen were in jail until 11-6-1964 when the order terminating the services of the workmen with immediate effect was issued, 20 days had expired. In the circumstances, there was no scope for granting any leave when the order terminating the services was passed. The management have been willing to pay the wages for the period of leave at credit as the dues of the workmen; the management is bound to do so under Sec. 52(8) of the Mines Act, 1952. The workmen, however, as already stated, did not take their dues from the management, apparently expecting that they might get reinstatement by starting a dispute case. In the circumstances, however, I must hold that there was no scope for granting any leave due on 11-6-1964, and so the order, terminating the services cannot be deemed to be improper. The order of termination of services mentions the conviction of the workmen under Rule 41(1) (a) of the D.I. Rules as a circumstance for which the order of termination was made. In the circumstances, I must hold that it was not a case of pure termination of service of employees under Paragraph 21 of the Standing Orders, but termination of service by way of punishment. But in view of the Supreme Court's decisions already cited, I must hold that termination of services without drawing up chargesheet and obtaining the explanation of the workmen concerned was legal and proper in view of the conviction of the workmen under the D.I. Rules and consequent absence from duty, and that the complaint was not filed *malafide* against the workmen concerned in order to get rid of them because of their being prominent members of the newly started Laljhanda union.

9. Accordingly, my award is that the termination of services of all the 6 (six) workmen mentioned in the two orders of reference with effect from 11th June 1964 was justified and that the workmen, therefore, are not entitled to any relief.

(Sd.) S. K. S\*<sup>N</sup>,  
Presiding Officer.

Dated, 9th May 1967.

[No. 6/57/65-LRII.]

### ORDERS

New Delhi, the 16th May 1967

S.O. 1828.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sarpi Kajora Colliery, Post Office Ukhra, District Burdwan and their workmen in respect of the matters specified in the following Schedule hereto annexed:

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication,

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, No. 2, Calcutta, constituted under section 7A of the said Act.

### SCHEDULE

Whether the dismissal of the following workmen by the management of Sarpi Kajora Colliery, Post Office Ukhra with effect from the date shown against each was justified?

1. No. 2 Suresh Majhi . . . .	Pick Miner.	27th August, 1966.
2. Khara Majhi . . . . .	Do.	Do.
3. Moraj Majhi . . . . .	Do.	24th August, 1966.
4. No. 2 Mohan Bisra . . . . .	Do.	6th August, 1966.
5. Sukal Majhi . . . . .	Do.	18th August, 1966.
6. Mahadev Majhi . . . . .	Do.	23rd July, 1966.
7. Ganesh Majhi . . . . .	Do.	24th August, 1966.
8. Bakroom Bhunia . . . . .	Trammer	11th April, 1966.
9. Isan Tudar . . . . .	Pick Miner.	24th August 1966.
10. Banka Majhi . . . . .	Do.	24th August, 1966.

If not, to what relief are they entitled?

[No. 6/108/66-LRII.]

**S.O. 1829.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the New Ardhogram Colliery, P.O. Ardhogram, District Bankura and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, No. 2, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the termination of the services of Shri Bharat Chakravorty, Magazine Clerk, with effect from the 21st January 1967 by the management of New Ardhogram Colliery was justified? If not, to what relief is he entitled?

[No. 6/19/67-LRIL.]

**S.O. 1830.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Hurriladih Colliery of Messrs Equitable Coal Company Limited, Post Office Disergarh (Burdwan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Additional Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the management of Hurriladih Colliery of Messrs Equitable Coal Company Limited, Post Office Disergarh (Burdwan) was justified in offering retrenchment compensation to their workmen under the proviso to section 25FFF of the Industrial Disputes Act, 1947 consequent on the closure of the colliery with effect from the 16th January, 1967?

If not, to what relief are the workmen entitled?

[No. 1/6/67-LRIL.]

**S.O. 1831.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Parasea Colliery, Post Office Kajoragram, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, No. 2, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the refusal of the management of the Parasea Colliery to employ Shri Harendra Prasad, Loading Clerk with effect from the 3rd October, 1966 was justified?

If not, to what relief is he entitled?

[No. 6/13/67-LRIL.]

*New Delhi, the 17th May 1967*

**S.O. 1832.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Guzdhar Kajora Colliery, Post Office Kajoragram, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal No. 2 Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the non-employment of Shri Sudarshan Singh, Trammer, by the management of Guzdhar Kajora Colliery with effect from the 9th December, 1966 was justified?

Is not to what relief is he entitled?

[No. 6/17/67-LRII.]

*New Delhi, the 18th May 1967*

S.O. 1833.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the East Satgram Colliery, Post Office Jaykaynagar, Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal No. 2 Calcutta, constituted under section 7A of the said Act

#### SCHEDULE

Whether the dismissal of the following 15 workmen by the management of East Satgram Colliery with effect from the 17th January, 1966 was justified:—

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| 1. Shri Jagdeo Das, Pick miner       | 9. Shri Iswar Din Passi, Pick miner |
| 2. Shri Lochan Das, Pick miner       | 10. Shri Khiri Passi, Pick miner    |
| 3. Shri Shew Das, Pick miner         | 11. Shri Remai Harijan, Pick miner  |
| 4. Shri Charitar Das, Pick miner     | 12. Shri Shyamdhani Das, Pick miner |
| 5. Shri Ram Bachan Ahir, Pick miner  | 13. Shri Bhagirat Ahir, Pick miner  |
| 6. Shri Lakeshwar Dusad, Pick miner  | 14. Shri Sukhai Ahir, Pick miner    |
| 7. Shri Koli Dusad, Pick miner       | 15. Shri Tejula Mia, Pick miner.    |
| 8. Shri Nand Prasad Goar, Pick miner |                                     |

Is not to what relief are they entitled?

[No. 6/62/66-LRII.]

S.O. 1834.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Selected Kajora Jambad Colliery, Post Office Ukhra (Burdwan) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal No. 2 Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

Whether the refusal to employ Shri Gaharu Koiri, underground trammer, by the management of Selected Kajora Jambad Colliery, Post Office, Ukhra (Burdwan), with effect from the 18th November, 1966 was justified?

Is not to what relief is he entitled?

[No. 6/22/67-LRII.]

**S.O. 1835.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Western Kajora Colliery, Post Office Raniganj, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, No. 2, Calcutta, constituted under section 7A of the said Act

#### SCHEDULE

Whether the stoppage of work of Shri Nathuni Singh, Pick Miner with effect from the 9th December, 1965 to 24th March, 1966 and Shri Sitaram Bin, S/Trammer, with effect from the 4th February, 1966 to 22nd February, 1966 (both inclusive) by the management of Western Kajora Colliery, Post Office Raniganj, District Burdwan was justified? If not, to what relief are the workmen entitled?

[No. 6/105/66-LRII]

*New Delhi, the 20th May 1967*

**S.O. 1836.**—Whereas an industrial dispute exists between the Sinidih Colliery of Messrs Sinidih Colliery Concern (Private) Limited, Post Office Katrasgarh (Dhanbad) (hereinafter referred to as the said Company) and their workmen represented by the Bihar Koyala Mazdoor Sabha, Near Mack and Company, Post Office Dhanbad, Dhanbad (hereinafter referred to as the said Union);

And whereas, the said Company and the Union have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), referred the said dispute to the arbitration of the persons specified therein, and a copy of the said arbitration agreement has been forwarded to the Central Government.

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by it on the 10th May, 1967

#### (AGREEMENT)

##### FORM 'C'

(See Rules 7)

(Under Section 10A of the Industrial Disputes Act, 1947)

#### BETWEEN

##### NAME OF THE PARTIES:

##### Representing Employers:

Shri M. P. Gupta, Manager, Sinidih Colliery of M/s. Sinidih Colliery Concern (P) Ltd., P.O. Katrasgarh, Distt. Dhanbad

##### Representing Workmen:

Shri Prasanta Burman, General Secretary, Bihar Koyala Mazdoor Sabha C/o Indian Mine Workers' Federation, Near Mack and Co P.O. Dhanbad, Distt. Dhanbad.

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Shri K. Sharan, Assistant Labour Commissioner (C), Dhanbad-I.

##### (1) Specific matters in dispute:—

"Whether the management of Sinidih Colliery of M/s Sinidih Colliery Concern (P) Ltd., P.O. Katrasgarh, District Dhanbad was justified in refusing employment to Shri Durgi Bhuia, Trammer on and from 27th October 1966? If not, to what relief is the workman entitled?"

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved—

Employers in relation to Sindhi Colliery of M/s Sindhi Colliery Concern (P) Ltd., P.O. Katrasgarh Distt. Dhanbad and its workmen

(iii) Name of the union, if any, representing the workmen, in question

Bihar Koyala Mazdoor Sabha C/o Indian Mine Workers' Federation, Near Mack & Co, P.O. Dhanbad Distt. Dhanbad.

(iv) Total number of workmen employed in the undertaking affected

200

(v) Estimated number of workmen affected or likely to be affected by the dispute

1 (one)

We further agree the decision of the arbitrator shall be binding on us

The arbitrator shall make his award within a period of 3(three) months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned, the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration

Signature of the parties —

Representing Employer

for and on behalf of

M s Sindhi Colliery Concern (P) Ltd.

(Sd) M P GUPTA, Manager

Representing Workmen

(Sd.) PRASANTA BURMAN,

(General Secretary)

Dated April 19, 1967

Bihar Koyala Mazdoor Sabha, Dhanbad

Witnesses.

1. (Sd.) R. S. GIRI  
19/4/67

2. (Sd) Illegible.  
19/4/67

[No. 8/43/67-LRM.]

BALWANT SINGH Under Secy

(Department of Labour and Employment)

New Delhi, the 16th May 1967

**S.O. 1837.**—In pursuance of clause (a) of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby nominates Shri P. C. Mathew, Secretary to the Government of India, Department of Labour and Employment to be the Chairman of the Standing Committee of the Employees' State Insurance Corporation, *vice* Shri L. N. Mishra and makes the following further amendment in the notification of the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 948, dated the 30th January, 1967, namely:—

In the said notification, under the heading "Chairman", for the entry against item 1, the following entry shall be substituted, namely:—

"Shri P. C. Mathew, Secretary to the Government of India, Department of Labour and Employment"

[No. F. 3/17/66-HI]

**S.O. 1838.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts, having regard to the location of the factory in an implemented area, the Bentadih Workshop belonging to the National Coal Development Corporation Ltd., Ranchi, from the payment of the employer's special contribution leviable under chapter V-A of the said Act for a period of one year from the date of issue of this Notification.

[No. F. 6(64)/66-HI.]

*New Delhi, the 17th May 1967*

**S.O. 1839.**—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No 13(5)/61-HI dated the 25th July, 1961 namely:—

In the said notification for item 2 the following items shall be substituted, namely:—

"2(a) The areas within the Municipal limits of Kottayam and the revenue villages of:—

1. Nattakam.
2. Athirampuzha.
3. Panachikkad.
4. Thiruvappu.
5. Vijayapuram.
6. Puthupally.
7. Ettumanoor.
8. Ayamanam.
9. Kaipuzha (only portion of Arpookara).
10. Kumarakom.
11. Pampadi.
12. Ayarkunnam.
13. Kuroorpada and
14. Perumbaiikkad (only portion of Kumaranallur) in the Kottayam Taluk in the Kottayam District; and

(b) the revenue villages of:

1. Vakathanam.
2. Vazhapally East and
3. Vazhapally West

in the Changanacherry Taluk in the Kottayam District.

3. (a) The revenue villages of

1. Kainak and
2. Nilamperur

in the Kuttanad Taluk in the Alleppey District; and

(b) The revenue village of Koipuram in the Thiruvalla Taluk in the Alleppey District."

2. This notification shall be deemed to have come into force with effect from the 30th July, 1961.

[No. F. 13/6/67-HI.]

*New Delhi, the 18th May 1967*

**S.O. 1840.**—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government having regard to the location of the factory specified in the Schedule hereto annexed in a sparse area in the State of West Bengal, hereby exempts the said factory from the payment

of the employer's special contribution leviable under chapter VA of the said Act until the enforcement of the provisions of Chapter V of that Act in that area.

#### THE SCHEDULE

Sl. No.	Name of Distt.	Name of Area	Name of the Factory
1	Jalpaiguri	Gairkatta	M/s. Rajendra Engg. Co.,

[No. 6(31)/67-HI]

**S.O. 1841.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Indian Progressive Publishing Company (Private) Limited, 206 Bidhan Saranee, Calcutta-6 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of August 1965.

[No. 3(30)67-PF-II.]

**S.O. 1842.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Orient Paper Mills Limited, Amlai, District Shahdol (Madhya Pradesh) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of October, 1966.

[No. 3(9)67-PF-II.]

**S.O. 1843.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Naresh Kumar Coal Sales Private Limited, 15, Shakespeare Sarani, Calcutta-16, have agreed that the provisions of the Employees' Provident Funds Act 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April, 1967.

[No. 3/59/67/PF. II.]

**S.O. 1844.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Deccan Engineering and Refrigeration Company, 133, Rashtrapati Road, Secunderabad, have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of April 1967

[No. 3/58/67/PF-II.]

**S.O. 1845.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to each establishment mentioned in the schedule below have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to that establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to each of the establishments mentioned in the said schedule.

This notification shall be deemed to have come into force on the 1st day of April 1966

#### THE SCHEDULE

Messrs Industrial Development Consortium (Private) Limited, 18, Brunton Road, Bangalore-25.

Messrs. Bhaskar Industries, Industrial Estate, Bangalore-10.

[No. 8(11)66-PF-II.]

*New Delhi, the 19th May 1967*

**S.O. 1846.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kolhapur Udyam Co-operative Society Limited, Shivaji Udyam Nagar, Kolhapur (Maharashtra State), have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the 1st day of March, 1966.

[No. 8(50)/66-PF-II.]

DALJIT SINGH Under Secy.

#### (Department of Labour & Employment)

*New Delhi, the 16th May 1967*

**S.O. 1847.**—Whereas Shri Kalyan Roy, a member of the Central Coal Mines Rescue Stations Committee, has ceased to be a member of the said Committee by virtue of the provisions of clause (a) of rule 6 of the Coal Mines Rescue Rules 1959

Now, therefore, in pursuance of clause (iv) of sub-rule (1) of rule 3 of the Coal Mines Rescue Rules, 1959, the Central Government hereby nominates Shri Bishnu Prasad Hazarika to be a member of the Central Coal Mines Rescue Stations Committee *vide* Shri Kalyan Roy, and makes the following amendment in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 3310, dated the 23rd October, 1965, namely:—

In the said notification for the entry against Serial No 9, the following entry shall be substituted, namely:—

“Shri Bishnu Prasad Hazarika, General Secretary, Assam Coal Mines Workers' Union, P.O. Ledo, Assam.”

[No. 14/10/66-MI.]

*New Delhi, the 19th May 1967*

**S.O. 1848.**—In exercise of the powers conferred by sub-section (1) of Section 5 of the Mines Act, 1952 (35 of 1952), the Central Government hereby appoints S/Shri P. K. Datta and J. N. Johri, Assistant Directors of Mines Safety, as Inspectors of Mines subordinate to the Chief Inspector of Mines and makes the following further amendment in the notification of the Government of India, in



the Ministry of Labour and Employment S.O. 531 dated the 2nd March, 1961 namely:—

In the said notification, the following entries shall be added at the end, namely:—

(93) Shri P. K. Datta.

(94) Shri J. N. Johri.

[No. 8/63/67-M. I.]

J. D. TEWARI, Under Secy.

### (Department of Labour & Employment)

*New Delhi, the 17th May 1967*

**S.O. 1849.**—The following draft of a scheme further to amend the Madras Dock Workers (Regulation of Employment) Scheme, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 19th June, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

#### *Draft Scheme*

1. This Scheme may be called the Madras Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In item (c) of sub-clause (2) of clause 45 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, for the words "three days", the words "ten days" shall be substituted.

[No. 625/4/66-Fac II.]

**S.O. 1850.**—The following draft of a scheme further to amend the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 19th June, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

#### *Draft Scheme*

1. This Scheme may be called the Calcutta Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In item (c) of sub-clause (2) of clause 45 of the Calcutta Dock Workers (Regulation of Employment) Scheme, 1956, for the words "three days", the words "ten days" shall be substituted.

[No. 625/4/66-Fac II.]

*New Delhi, the 18th May 1967*

**S.O. 1851.**—In pursuance of sub-section (5) of section 5 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), the Central Government hereby publishes the following estimate of receipts into and expenditure from the General Welfare Account of the Coal Mines Labour Housing and General Welfare Fund during the year 1966-67 together with a statement of accounts for the year 1965-66

and a report on the activities financed during that year from General Welfare Account of the said Fund, namely.—

*Estimates of receipts and expenditure 1966-67*

<i>Receipts</i>		<i>Expenditure</i>	
Rs. 1,82,40,000		Rs. 2,65,16,100	
<i>Statement of accounts 1965-66</i>			
<i>Receipts</i>		<i>Expenditure</i>	
Opening balance on 1-4-65	Rs. 2,96,36,806	Expenditure during the year	2,94,61,769
Receipts during the year.	Rs. 1,80,96,530	Closing balance on 31-3-66	1,82,71,567
TOTAL	Rs. 4,77,33,336	TOTAL	4,77,33,336
		(Provisional figures)	

### REPORT

#### Medical Facilities

(a) **Hospitals.**—The two Central Hospitals (one each at Dhanbad and Asansol) and the eight Regional Hospitals (two each at the Jharia and Hazaribagh Coalfields and one each at Raniganj, Pench Valley, Vindhya Pradesh and Korea Coalfields) continued to function. The construction of the Regional Hospital at Bhuli was completed during December, 1964. Regional Hospitals at Bagmara (Jharia Coalfield) and Ramagundam (Andhra Pradesh Coalfield) were under construction. Work in connection with the expansion of Regional Hospitals at Katras (Jharia Coalfield) from 30 to 50 beds reached roof level. Work relating to the expansion of the Regional Hospital at Jamai (Pench Valley Coalfields) from 30 to 50 beds was completed. In order to meet the increasing demand for medical facilities in the Central Hospitals at Dhanbad and Asansol, sanction for increasing the bed strength from 250 to 300 was accorded and work on the expansion of the two Central Hospitals was in progress. During the first three quarters of the year, the total number of new cases of in-patients and out-patients treated at the two Central Hospitals was 19,113 and 69,963 respectively and at the Regional Hospitals 8,891 and 29,633 respectively. The foundation stone of another Central Hospital with one hundred general and 50 T.B. beds at Manendragarh in the Korea Coalfield in Madhya Pradesh, was laid on December 22, 1965 by the Union Minister for Labour and Employment. Possession of the requisite land was obtained and necessary formalities for putting the work to tender were under way. There was also a proposal for provision of similar Central Hospitals in Pench Valley and Ramgarh-Karanpura Coalfields.

(b) **Allopathic Dispensaries.**—The two dispensaries at Bhuli and Mugma treated 32,066 patients during the year. Steps to start a dispensary at Bhara in the Raniganj Coalfield (West Bengal) in rented accommodation were being taken.

Colliery owners maintaining dispensaries of the prescribed standards were given grants amounting to Rs. 13,32,981-20 paise.

(c) **Ayurvedic Dispensaries.**—Twenty three Ayurvedic Dispensaries were run by the Organisation in the various Coalfields. The number of new patients treated at these dispensaries during the period under review was 1,21,145. For the manufacture of medicines required for distribution to the Ayurvedic Dispensaries, the Ayurvedic Pharmacy continued to function at Patherdih in the Jharia Coalfield.

(d) **Family Welfare Centres and Maternity and Child Welfare Centres.**—The family Welfare Centres attached to each of the Regional Hospitals continued to function. Besides, 8 such centres already established by the Fund in the various Coalfields were also functioning as independent units each under the charge of a qualified health visitor. Similarly 53 Maternity and Child Welfare Centres were being run by the Asansol/Jharia/Hazaribagh Mines Boards of Health for which the Fund continued to pay grants-in-aid towards their maintenance.

#### (e) Other Medical Facilities.

(i) **Anti-T.B. Measures.**—Two 100 bedded T.B. Wings of the Central Hospitals at Dhanbad and Asansol started functioning. The 50 bedded T.B. Hospital at Searsol and the 12 bedded T.B. Clinic at Katras continued

to function. Besides, 86 beds had also been reserved in various sanatoria for the benefit of such patients.

The Domiciliary T.B. Treatment scheme as well as the scheme for payment of subsistence allowance to dependents of T.B. patients were continued.

(ii) **Leprosy Relief.**—The number of beds provided by the Fund in the three leprosy hospitals remained the same, at 54.

(iii) **Relief for victims of cancer.**—The arrangements for the treatment of cancer patients at the Patna Medical College Hospital were continued. The number of cases attended to at the Deep X-Ray Therapy department of the Central Hospital, Asansol was 2150.

(iv) **Rehabilitation.**—A Rehabilitation-cum-Physiotherapy Centre attached to both the Central Hospitals continued to function. A total of 27,790 patients were treated during the year.

(v) **Family Planning.**—Due importance to the provision of family counselling service in the coalfields continued to be given by the Organisation. All the Medical Institutions as well as the family Welfare Centres of the Fund have a family planning clinic attached to them. The Scheme of cash payment to those who underwent sterilization operations was continued.

(vi) **Others.**—Other important activities of the Fund were:

Establishment of Blood Banks at the Central Hospitals at Dhanbad and Asansol, establishment of Health Promotion Centres, maintenance of ambulance vans, supply of spectacles, dentures, etc. Malaria Control Operations and Anti-Filaria Measures were the other important activities of the Fund.

(1) **Educational and Recreational Activities.**—Some relevant statistics of the existing activities are given below:—

Miners' Institutes	57	} includes 57 centres in } Multi-Purpose } Institutes.
Welfare Centres for Women	60	
Adult Education Centres	62	
Feeder Adult Education Centres	163	
Holiday Home	1	
Boarding Houses for Children	2	
Miners' Institutes under construction	4	

(i) **Bharat Darshan Special Trains for Coal Miners.**—After a lapse of two years the scheme for running of Special Trains for Bharat Darshan carrying colliery workers to different places of importance all over India was revived. The 6th Special Train carrying about 500 workers left Dhanbad on March 29, 1965 on the North India tour. The train returned to Dhanbad on April 13, 1965. The miners were given a reception at New Delhi Station by the Union Labour Minister, the Deputy Labour Minister, and the Coal Mines Welfare Commissioner.

(ii) **Games and Sports.**—The Fourth All-India Coalfield Sports were also held at Jealgora Ground in the Jharia Coalfield on February 7, 1965 in which 172 athletes from 8 Zones from all over the Coalfields in India participated. The Union Labour Minister was the Chief Guest.

The first all India Coalfield Volley Ball Tournament was played at Kothagudum in Andhra Pradesh on March 14, 1965 in which workers of different Regions participated. The Union Deputy Minister for Labour and Employment was the Chief Guest. The workers of the Andhra Pradesh Coalfield won the Trophy and the workers of the Raniganj Coalfield were declared runners-up.

(iii) **Boarding Houses for School-going Children of Coal Miners.**—For the benefit of the school-going children of colliery workers studying in high schools far away from their place of residence, two Boarding Houses—one each in West Bengal and Madhya Pradesh—continued to function.

(g) **Other Welfare Activities.**

(i) **Water Supply.**—Financial assistance from the Fund was given/sanction for augmentation of water supply scheme as under:—

(1) Rs 2,53,932 to M/s Andrew Yule & Co. Ltd.

- (2) Rs. 5,000 to M/s. West Bokard Colliery Co. Limited in addition to Rs. 14,921 paid earlier.
- (3) Rs. 13.9 lakhs to the Government of Bihar for Jharia Water Supply Scheme.
- (4) Rs. 25 lakhs to the Government of West Bengal for Raniganj Water Supply scheme.
- (5) Rs. 29,775 to M/s. Satgram Colliery Ltd.

Under the scheme of sinking of wells on 50 per cent subsidy basis, 388 wells were sanctioned in different collieries. Out of these 149 wells have since been completed and construction of most of the remaining wells was in progress.

- (ii) **Co-operatives.**—The Organisation continued to make rapid strides in the promotion of co-operative movement in the Coalfields. The total number of Credit Societies/Stores organised upto the end of the year reached 512. One new Central Stores was also opened, thus raising the total number of Central Stores Organised and functioning in the Coalfields to 10.

During the year, financial assistance to the extent of about Rs. 79 lakhs was given to the Co-operative Societies/Stores/Central Stores from the Fund by way of clean credit, temporary advance for bulk purchase of food grains, share capital contribution, loan etc.

- (iii) **Coal Mines Fatal and Serious Accident Benefit Scheme.**—An amount of Rs. 1,00,248 was sanctioned for payment to 353 widows and 34 school going children of victims of accidents.

[No. 16/65/66-MII.]

*New Delhi, the 19th May 1967*

**S.O. 1852.**—The following draft of a scheme further to amend the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 19th June, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

#### *Draft Scheme*

1. This Scheme may be called the Cochin Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In item (c) of sub-clause (2) of clause 45 of the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, for the words "three days", the words "ten days" shall be substituted.

[No. 625/4/66-Fac. II.]

**S.O. 1853.**—The following draft of a scheme further to amend the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 19th June, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

#### *Draft Scheme*

1. This Scheme may be called the Bombay Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In item (c) of sub-clause (2) of clause 44 of the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, for the words "three days", the words "ten days" shall be substituted.

[No. 625/4/66-Fac. II.]

**S.O. 1854.**—The following draft of a scheme further to amend the Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 19th June, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

#### *Draft Scheme*

1 This Scheme may be called the Vizagapatam Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In item (c) of sub-clause (2) of clause 44 of the Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1959, for the words "three days", the words "ten days" shall be substituted.

[No. 625/4/66-Fac II]

**S.O. 1855.**—The following draft of a scheme further to amend the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 19th June, 1967.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

#### *Draft Scheme*

This Scheme may be called the Mormugao Dock Workers (Regulation of Employment) Amendment Scheme, 1967

2 In item (c) of sub-clause (2) of clause 46 of the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965, for the words "three days", the words "ten days" shall be substituted.

[No. 625/4/66-Fac. II]

K. D. HAJELA, Under Secy.

#### **(Department of Rehabilitation)**

#### **(Office of the Chief Settlement Commissioner)**

*New Delhi the 9th May 1967*

**S O. 1856.**—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties specified in the schedule hereto annexed in the States of Punjab and Haryana for a public purpose being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons.

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Comp and Rehab) Act, 1954. (44 of 1954), it is notified that the Central Government has decided to acquire and hereby acquires the evacuee properties specified in the schedule hereto annexed.

#### **THE SCHEDULE**

All properties in the State of Punjab which have been vested in the Custodian under section 11 of the Evacuee Interest (Separation) Act 1951 as a result of adjudication by the Competent Officer under the provisions of the said Act upto 31st March 1967 in respect of which appeals have not been filed, and if filed have been rejected by the Appellate Officer concerned

[No. 16(18)/53-Prop. II-Comp.]

*New Delhi, the 17th May 1967*

S.O. 1857.—In exercise of the powers conferred by Sub-Section (i) of Section 6 of the Administration of the Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints Shri Sohan Singh, Assistant Settlement Officer in the office of the Regional Settlement Commissioner, New Delhi as Assistant Custodian for the Union Territory of Delhi for the purpose of discharging the duties imposed on such Assistant Custodian by or under the said Act with effect from the forenoon of the 17th April, 1967.

[No. 7/65/55-SII/AGZ(V-II).]

S.O. 1858.—In exercise of the powers conferred by Sub-Section (J) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri R. S. Dhuri, in the office of the Regional Settlement Commissioner, Bombay as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the fore-noon of 25th April, 1967.

[No. 7/18/AGZ/65.]

S.O. 1859.—In exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints for the Union Territory of Delhi, Shri Sohan Singh, Assistant Settlement Officer in the Office of the Regional Settlement Commissioner, New Delhi as Managing Officer for the custody, Management and disposal of compensation pool with effect from the forenoon of the 17th April, 1967.

[No. 7(65)55-SII/AGZ/V-II.]

*New Delhi, the 18th May 1967*

S.O. 1860.—In exercise of the powers conferred by Sub-Section (J) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954) the Central Government hereby appoints Shri B. S. Kini in the office of the Regional Settlement Commissioner, Bombay as Assistant Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the forenoon of the 1st May, 1967.

[No. 8/1/AGZ/67.]

#### CORRIGENDUM

*New Delhi, the 9th May 1967*

S.O. 1861.—Please read "30-9-66" for the figures "31-12-1966" occurring in the Schedule annexed to Notification No. 16(18)/58-Prop. II. Comp. dated 31-10-1966.

[No. 16(18)/58-Prop. II. Comp.]

A. G. VASWANI,  
Settlement Commissioner (A) and *Ex-Officio* Under Secy.